

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
LONDON**

NEW LONDON TOBACCO MARKET, INC.)	
and FIVEMILE ENERGY, LLC,)	
)	
Plaintiffs,)	
)	
v.)	Civil No. 6:17-cv-00245-GFVT
)	
JAMES C. JUSTICE COMPANIES, INC.,)	
JUSTICE FARMS OF NORTH CAROLINA,)	
LLC, OAKHURST CLUB, LLC,)	
SOUTHERN MINERALS, LLC, and)	
JAMES C. JUSTICE, III)	
)	
Defendants.)	

**MOTION TO TEMPORARY LIFT STAY AND FOR LEAVE TO FILE SECOND
AMENDED COMPLAINT**

Plaintiffs, New London Tobacco Market, Inc., and Fivemile Energy, LLC, by counsel, move this Court to temporarily lift the stay of proceedings to allow the filing of a Second Amended Complaint asserting claims before their statutes of limitation expire and service of summonses on new Defendants. A copy of the proposed Second Amended Complaint is attached as Exhibit 1. For good cause, the Plaintiffs assert the following reasons:

In an Order entered July 26, 2018, the Court stayed this action at the request of Plaintiffs, and ordered the parties “to file a notice . . . within fourteen (14) days of the final resolution of 6:12-cv-00091-GFVT-HAI, New London Tobacco Market, Inc. et al v. Kentucky Fuel Corporation et al.” D.E. 36 at 2. In that Order, the Court noted, “This case arises out of a lengthy litigation process in [that] companion case, . . . [and] Plaintiffs assert that, ‘if the Defendants pay [the] judgment [in the companion case] or it is otherwise resolved between the parties, then there would be no need to proceed with this action.’” *Id.* at 1, quoting D.E. 30 at 2.

In that Order, the Court also noted the broad discretion the Court has as to staying proceedings. *Id.* at 1-2, citing *F.T.C. v. E.M.A. Nationwide, Inc.*, 767 F.3d 611, 626–27 (6th Cir. 2014), *Ohio Envtl. Council v. U.S. Dist. Court*, S. Dist. of Ohio, E. Div., 565 F.2d 393, 396 (6th Cir.1977)), and *Clinton v. Jones*, 520 U.S. 681, 706 (1997)). Lifting the stay temporarily for the purpose of allowing an amendment for claims that might become time-barred is certainly within that broad discretion.

In that companion case, Magistrate Judge Ingram has conducted an evidentiary hearing and entered an Order for post-hearing briefs. The parties are awaiting that ruling and Your Honor’s ultimate ruling. Therefore, the basis for the stay still exists.

Plaintiffs seek leave to amend to assert additional fraudulent conveyance claims and civil claims under the Racketeer Influenced and Corrupt Organizations Act (RICO), pursuant to 18 U.S.C. § 1964(c). Those claims are governed by a four-year limitations period set out in 15 U.S.C. § 15b. Plaintiffs have recently discovered matters giving rise to these claims and the end of the limitations period will approach on some of those claims. As to the party defendants to be added, those claims may not relate back to the original Complaint. Fed. R. Civ. P. 15(c). The parties agreed to a tolling agreement with regard to these statutes of limitation and multiple extensions of that tolling agreement. However, the Defendants recently declined to grant any further extension of the tolling agreement, which expires today. Therefore, this filing by the Plaintiffs is necessary.

Rule 15(a) of the Federal Rules of Civil Procedure provides that leave shall be freely given “when just so requires.” Fed. R. Civ. P. 15(a)(2). “The Supreme Court, commenting on the mandate in Rule 15(a), stated:

In the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failures to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of the amendment, etc.—the leave sought should, as the rules require, be ‘freely given.’ ”

Leary v. Daeschner, 349 F.3d 888, 905 (6th Cir. 2003) (quoting *Foman v. Davis*, 371 U.S. 178, 182 (1962)). Here, the case has been stayed at the pleading stage pending resolution of the companion case. Therefore, this request for leave to amend is not delayed, made in good faith, and meritorious. Nothing would suggest any reason to deny this requested leave.

As set out in the tendered Second Amended Complaint, the Defendants and entities and persons associated with them appear to have engaged in a series of transactions designed to transfer assets with the intent to hinder, delay, or defraud creditors, including Plaintiffs. Further, investigation and consideration has led the Plaintiffs to conclude that this pattern and practice along with the Defendants’ treatment of other creditors (including state entities levying fines) amounts to an illegal enterprise violative of the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. § 1962 and necessitates the addition of further Defendants and an additional count under that Act.

For these reasons, Plaintiffs move this Court for:

- (1) entry of an Order lifting the Court’s present stay for the limited purpose of allowing the filing of the tendered Second Amended Complaint
- (2) if granted, to allow the Plaintiffs to have process issued and to effectuate process on the new Defendants named in that Second Amended Complaint but not require those new Defendants to answer at this time, and

(3) to reinstate the stay of proceeding, which would still be required for the reasons set out in Plaintiffs' Motion to Stay filed January 5, 2018, D.E. 30.

Consideration of this motion should be expedited pursuant to 28 U.S.C. 1657(a), given the time-sensitive nature of purpose for which the lifting of the stay and amendment of the Complaint is sought.

/s/ W. Edward Shipe

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt of this 29th day of April, 2019.

/s/ W. Edward Shipe

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF KENTUCKY
SOUTHERN LONDON DIVISION**

**NEW LONDON TOBACCO MARKET, INC.)
and FIVEMILE ENERGY, LLC,)**

Plaintiffs,)

v.)

No. 6:17-cv-00245-CFVT

**JAMES C. JUSTICE COMPANIES, INC.,)
KENTUCKY FUEL CORPORATION,)
JUSTICE MANAGEMENT SERVICES, LLC,)
JUSTICE FARMS OF NORTH CAROLINA,)
LLC, OAKHURST CLUB, LLC,)
SOUTHERN MINERALS, LLC, BLUESTONE)
INDUSTRIES, INC., DYNAMIC ENERGY,)
INC., JCJ COAL GROUP, LLC, BLUESTONE)
RESOURCES, INC., JAMES C. JUSTICE, III,)
and JAMES C. JUSTICE, II,)**

Defendants.)

SECOND AMENDED COMPLAINT

Plaintiffs, New London Tobacco Market, Inc. (“NLTM”), and Fivemile Energy, LLC, by and through counsel, pursuant to Rule 15, Fed. R. Civ. P., for their Second Amended Complaint against the Defendants state as follows:

The Parties, Principal Actors and Jurisdiction

1. NLTM is a corporation chartered under the laws of Kentucky with its principal place of business in London, Kentucky.

2. Fivemile Energy, LLC (“Fivemile”) is a limited liability company organized under the laws of the State of Tennessee with its principal place of business in Tennessee. Its members are William G. Brownlow, IV and his wife, Cassandra Brownlow, both of whom are citizens of Tennessee. Fivemile is the agent for NLTM and brings this action in its capacity as an agent, and for the benefit of NLTM.

3. James C. Justice, III (“Jay Justice”) is a citizen of the State of Virginia. He is a director and president or executive vice president of the following companies that do business in Kentucky: James C. Justice Companies, Inc. (“JCJC”), Kentucky Fuel Corporation (“Kentucky Fuel”), Southern Coal Corporation, A & G Coal Corporation, Infinity Energy, Inc., Virginia Fuel Corporation, Justice Low Seam Coal Mining, Inc. and Beech Creek Coal.

4. Dr. Jillean L. Justice (“Jill Justice”) is a citizen of West Virginia. She is not named as a Defendant in this action, but is a member of the limited liability companies identified below that are Defendants.

5. James C. Justice, II is a citizen of the State of West Virginia. He is the current governor of the State of West Virginia, and will be referred to herein as “Governor Justice.”¹ Governor Justice is or was a member of certain limited liability companies identified below, including those that are also named as Defendants. He is the father of Jay Justice and Jill Justice.

6. JCJC is a corporation chartered under the laws of Delaware with its principal place of business in Virginia. Upon information and belief, its shareholders are Governor Justice, Jay Justice and Jill Justice. Jay Justice previously was its executive vice president and Governor Justice was its president.

7. Kentucky Fuel is a corporation chartered under the laws of Delaware, with its principal place of business in West Virginia. Jay Justice has been its executive vice president. Jay Justice is now its president.

8. Justice Management Services, LLC (“Justice Management Services”) is a corporation chartered under the laws of Virginia, with its principal place of business in Virginia.

¹ Governor Justice was not the Governor of West Virginia at the time of many of the transactions described herein. He is referred to herein as “Governor Justice” out of respect for his office.

Upon information and belief, it and/or its members are affiliates of JCJC and/or members of the Justice Family. Upon information and belief, its members are citizens of states other than Tennessee and Kentucky.

9. Justice Farms of North Carolina, LLC (“Justice Farms”) is a limited liability company organized under the laws of Virginia with its principal place of business in Virginia. Upon information and belief, its members are Jay Justice and Jill Justice, who are citizens of Virginia and West Virginia, respectively. It is an affiliate and an insider of JCJC.

10. Oakhurst Club, LLC (“Oakhurst Club”) is a limited liability company organized under the laws of West Virginia with its principal place of business in West Virginia. Its members are Governor Justice, Jay Justice, and Jill Justice, who are citizens of West Virginia, Virginia, and West Virginia, respectively. It is an affiliate and an insider of JCJC.

11. Southern Minerals, LLC (“Southern Minerals”) is a former limited liability company organized under the laws of Virginia that had its principal place of business at 302 S. Jefferson Street, Roanoke, Virginia. Its status as a Virginia limited liability company recently was “cancelled.” *See* Exhibit 1 to original Complaint. Upon information and belief its status is now “active.” It is an affiliate and an insider of JCJC. Upon information and belief, its sole member is Southern Coal Corporation, which is a Delaware corporation with its principal place of business in Virginia.

12. Bluestone Industries, Inc. (“Bluestone Industries”) is a corporation organized under the laws of West Virginia. Its officers are Governor Justice, James T. Miller, and Dr. Justice.

13. Dynamic Energy, Inc. (“Dynamic Energy”) is a corporation organized under the laws of West Virginia. Its officers are Governor Justice, James T. Miller, and Dr. Justice.

14. JCJ Coal Group, LLC (“JCJ Coal Group”) is limited liability company organized

under the laws of Delaware. Upon information and belief, its sole member is Bluestone Mineral, Inc., an inactive West Virginia corporation.

15. Bluestone Resources, Inc. (“Bluestone Resources”) is a corporation organized under the laws of Delaware. Its members are Governor Justice and Jay Justice, who are citizens of West Virginia and Virginia, respectively. It is an affiliate and insider of JCJC.

16. The Defendants, James C. Justice, II and James C. Justice, III (the “Justices”) own, directly or indirectly, a large number of corporations, limited liability companies and other entities, through which they engage in a wide range of activities. These activities include coal mining, agriculture and the hospitality business, such as The Greenbrier Resort Hotel in West Virginia. All of these entities are not known to the Plaintiffs, but upon information and belief they include the entities listed on Exhibits 30 hereto.

17. The Justices and others are members of an association-in-fact enterprise (the “Justice Family Enterprise” or the “Enterprise”), the structure of which consists of the Justices, and entities that they control, including those listed on Exhibit 30 hereto, and a core group of loyal employees of various entities who will do what the Justices say. The identity of the entities that comprise the Enterprise changes from time to time but operate as a continuing unit distinct from the individual Defendants. It includes the entities identified herein. The purpose of the Enterprise is to utilize these entities for the Justices’ own personal benefit and to utilize the entities to avoid having to pay debts owed by various members of the Enterprise. This includes the transfer of assets from entities that have legal obligations that they do not wish to pay, to other entities in order to avoid payment of their debts. Often this is contrary to the best interest of the entities themselves, but is intended to benefit the Justices. Their business strategy often is to induce other persons into entering agreements based upon false representations that they or entities they control will perform those

agreements when, in fact, they do not intend to honor those agreements or pay the amounts due thereunder. This business strategy includes incurring debts that they do not intend to pay and using delay and forcing creditors to bring unnecessary litigation, so that the members of the Enterprise can avoid full payment of their debts. This business strategy also includes actions to deplete various of the entities of assets when they have incurred debts and to transfer such assets, including business opportunities, to other entities, in order to prevent creditors from being able to collect debts owed to them. Further, the Defendants and the Enterprise intentionally disregard and attempt to frustrate the judicial system's power and ability to provide relief to creditors. The Enterprise put this business strategy in effect through their dealings with the Plaintiffs as further detailed below.

18. The Justice Family Enterprise's business strategy is well-known, and has been described in various published articles. *See, e.g.,* Patterson & Ohio Valley Resource, "*Companies Sue Justice Family Companies Over Debts, Find Bank Accounts Empty*," West Virginia Public Broadcasting, (Oct. 2, 2018), and available on-line at <http://www.wvpublic.org/post/companies-sue-justice-family-companies-over-debts-find-bank-accounts-empty#stream/0>, and a recent Forbes magazine article titled "The Deadbeat Billionaire: The Inside Story of How West Virginia Gov. Jim Justice Ducks Taxes and Slow-Pays His Bills," April 30, 2019, and available on-line at <https://www.forbes.com/sites/christopherhelfman/2019/04/09/the-deadbeat-billionaire-the-inside-story-of-how-west-virginia-gov-jim-justice-ducks-taxes-and-slow-pays-his-bills/#13265a972acc>, copies of which are attached hereto as Exhibits 31 and 32, respectively. This Court has jurisdiction of this action pursuant to 28 U.S.C. § 1332 because the Plaintiffs and Defendants are citizens of different states and the amount in controversy exceeds the sum of \$75,000.00, exclusive of costs and interest. Additionally, this Court has jurisdiction over these claims pursuant to 28 U.S.C. § 1331 by virtue of the fact that the Racketeer Influenced and Corrupt Organizations Act ("RICO") claim

arises under federal law (18 U.S.C. § 1962). Supplemental jurisdiction over the other claims is proper pursuant to 28 U.S.C. § 1367.

Factual Background – Plaintiffs Become Creditors of JCJC and Kentucky Fuel

19. The business dealings between Plaintiffs and JCJC began in 2005. On October 5, 2005, NLTM and Kentucky Fuel Corporation (“Kentucky Fuel”), entered into “Assignment of Leases and Permits” (the “Original Assignment”). In that Original Assignment, among other things, NLTM assigned certain leases of mineral rights, known as the Deep Wood Leases and the Fivemile Leases, to Kentucky Fuel.

20. On November 23, 2005, JCJC executed a Guaranty Agreement (the “Justice Guaranty”), pursuant to which, among other things, it guaranteed the obligations of Kentucky Fuel to NLTM under the Original Assignment. To induce the Plaintiffs into these business dealings, the Justices had delivered to the Plaintiffs an audited Consolidated Financial Statements for JCJC and its subsidiaries for the year ended December 31, 2009. Those financial statements showed assets greater than \$175 million, stockholders’ equity greater than \$48 million, and one-year net income of over \$47 million. The Defendants intended for the Plaintiffs to rely upon this disclosure to induce Plaintiffs to do business with them and to conclude that any debt owed by the Defendants to the Plaintiffs could be paid.

21. In the Original Assignment and the Justice Guaranty, JCJC agreed to pay Plaintiffs’ reasonable attorneys’ fees and expenses incurred as a result of any default or failure to perform by Kentucky Fuel or JCJC.

22. On or about November 22, 2010, NLTM, Kentucky Fuel, Fivemile, JCJC and others entered into an agreement styled “Fourth Amendment of Assignment of Leases and Permits” (the “Fourth Amendment”).

23. In the Fourth Amendment, the parties agreed, among other things, to the following:

- a. Kentucky Fuel agreed to provide to Fivemile all payments due under the lease of property known as the “Strong Brothers property” within seven days of any request for such payment,
- b. Kentucky Fuel agreed to pay NLTM Monthly Retainer Fees of \$10,000 per month, beginning on December 1, 2010.
- c. Article 14 provided as follows:
 14. **Costs.** If any lawsuit, arbitration or other action is commenced or taken which arises out of or relates to this Agreement, the prevailing parties shall be entitled to recover from the defaulting party all costs, fees and expenses, including all attorney fees and expenses, in connection therewith.
- d. JCJC reaffirmed its obligations under the Justice Guaranty and confirmed that such obligations include the obligations of Kentucky Fuel in the Fourth Amendment as well as the obligations pursuant to the original Justice Guaranty.

24. Kentucky Fuel has not paid the Monthly Retainer Fees as required by the Fourth Amendment. As of the date this Second Amended Complaint is being tendered, the unpaid Monthly Retainer Fees are \$970,000, consisting of the \$10,000 per month from May 1, 2011, through April 1, 2019. These Monthly Retainer Fees continue to accrue at the rate of \$10,000 per month.

25. Kentucky Fuel and JCJC have failed and refused to pay rents due under the leases of the Strong Brothers Property as required by the Fourth Amendment. Kentucky Fuel and JCJC have admitted that they owe the unpaid amounts for the Strong Brothers Leases. As of the date this Second Amended Complaint is being filed, the principal amount of such payments owed by those Defendants is \$20,000.

26. JCJC and Kentucky Fuel have failed and refused to pay the amounts owed by Kentucky Fuel as required by the Justice Guaranty.

27. Kentucky Fuel's and JCJC's failure to honor their contractual obligations described herein was intentional and was part of their business plan and strategy, as evidenced by their course of dealings whereby they have evidenced a pattern and practice of disregarding and refusing to pay their contractual obligations.

The Original Federal Suit

28. On May 8, 2012, Plaintiffs instituted an action in the United States District Court for the Eastern District of Kentucky styled *New London Tobacco Market, Inc., et al. v. Kentucky Fuel Corporation and James C. Justice Companies, Inc.*, Case No. 12-91-GFVT (the "Fivemile Action").

29. On September 30, 2014, this Court entered a default judgment against the Defendants in the Fivemile Action based upon the Defendants' violation of Court orders and discovery abuse. This default judgment established the JCJC's liability for the Monthly Retainer Fees, the Strong Brothers Lease Payments and Plaintiffs' attorneys' fees and expenses. It also entered judgment in favor of Plaintiffs and against JCJC for fraud and punitive damages.

30. In the Fivemile Action, the Magistrate Judge issued a Report & Recommendation on January 17, 2017, recommending a judgment against JCJC in excess of \$60,000,000. The Court did not initially accept this recommendation, but referred the matter back to the Magistrate Judge for an evidentiary hearing and a Report and Recommendation regarding the amount of damages that should be awarded. This evidentiary hearing on damages was held on December 11-13, 2018, but as of the filing of this Second Amended Complaint, there has not been a final judgment in the Fivemile Action for the amount of damages, including the amount of attorneys' fees that the Court will award

pursuant to the default judgment against JCJC. However, the Court's Order of September 30, 2014, establishes that JCJC are liable to the Plaintiffs for breach of contract, fraud and punitive damages. The Defendants acted in utter disregard for the power of this Court, which resulted in this default judgment and their disdain for and efforts to impede the judicial system continue. Most recently, the Defendants sought to introduce a secretly-obtained "sworn statement" of Kent Gross in violation of a Court Order barring filings without first obtaining express permission of the Court. [D.E. 429] and [D.E. 430-1] (both of which were stricken by the Court). Further, to justify this violation, the Defendants falsely represented to the Court that they had "first learned of Kent Gross" in late March 2019, when the Defendants themselves had previously made numerous prior filings that showed their knowledge of and intent to rely upon the testimony of Mr. Gross.

JCJC's Transfers of Assets

31. After the filing and service of the Fivemile Action in May 2012, JCJC in combination with other persons and companies, began to engage in a series of transactions with the intent to hinder, delay or defraud its creditors. These transfers had the effect of draining the assets, stockholders' equity, and current and future net income shown on the 2009 Consolidated Financial Statements from JCJC to other related or cooperating entities and individuals. Upon information and belief, each of these transfers involved the use of the wires and/or mail and continued the purpose of the Enterprise of shielding assets and avoiding debts. As a consequence, the Defendants converted JCJC from a company who could make good on the Guaranty Agreement into one with no ability to pay. Some of these transfers were transfers of real estate to JCJC's related entities, insiders or affiliates made without valuable consideration for the real estate transferred. Others were transfers of valuable real estate in exchange for cash or other consideration that would make it more difficult for creditors, such as Plaintiffs, to collect their debts from JCJC. These fraudulent

conveyances include the transfers described below. They are summarized in Exhibit 2 to the original Complaint.

Transfers for No Consideration

32. Beginning in 2013 and continuing through at least 2016, JCJC engaged in numerous additional transfers with the intent to hinder, delay or defraud its creditors. These transfers described in the following paragraphs 34 through 40, were made to transferees that were affiliates and insiders of JCJC. JCJC did not receive consideration equal to a reasonably equivalent value of the properties transferred because no consideration was paid for any of these transfers. Upon information and belief, the Defendants used the United States mail and/or wire services in connection with these transfers.

33. By Quitclaim Deed dated November 27, 2013, recorded on January 8, 2014 (Exhibit 3 to the original Complaint), JCJC transferred the mineral rights to approximately 929 acres in Marion County, South Carolina to Southern Minerals, LLC. There was no reasonably equivalent value received for the transfer. Although the Deed includes a pro-forma recital that the stated consideration for this transfer was \$5.00, it includes an affidavit that “no monies were exchanged” for the transfer. This Deed was executed by Jay Justice on behalf of JCJC.

34. On January 24, 2014 JCJC entered into a series of at least ten transactions by which it transferred valuable real estate in Pasquotank and Perquimans Counties, North Carolina to Justice Farms. These transactions were accomplished by deeds executed that date and recorded on February 5, 2014. Each of these deeds was executed by Jay Justice on behalf of JCJC. There was no reasonably equivalent value received for the transfer for each of the property interests transferred. Although each contains a pro-forma recital of a stated cash consideration of \$10.00, each also includes a certification that the consideration for the transfer was “\$0.00.” The properties

transferred are as follows:

- a. 0.43 acres in Pasquotank County, North Carolina (Exhibit 4 to the original Complaint);
- b. 69.25 acres in Pasquotank County, North Carolina (Exhibit 5 to the original Complaint);
- c. Two parcels containing 876.48 acres in Pasquotank County, North Carolina (Exhibit 6 to the original Complaint);
- d. Seventeen parcels containing 10+ acres in Pasquotank County, North Carolina (Exhibit 7 to the original Complaint);
- e. 272 acres in both Pasquotank and Perquimans Counties, North Carolina (Exhibit 8 to the original Complaint);
- f. 3.87 acres of the Tanglewood Industrial Park in Pasquotank County, North Carolina (Exhibit 9 to the original Complaint);
- g. A lot and right of way in in Pasquotank County, North Carolina for a stated consideration of \$10.00 (Exhibit 10 to the original Complaint);
- h. Two subdivision lots in Pasquotank County, North Carolina for a stated consideration of \$10.00 (Exhibit 11 to the original Complaint);
- i. A lot consisting of two tracts containing seven parcels of a subdivision in Pasquotank County, North Carolina (Exhibit 12 to the original Complaint); and
- j. 3918 acres in Pasquotank County, North Carolina (Exhibit 13 to the original Complaint).

35. By Special Warranty Deed dated August 12, 2014, recorded on August 15, 2014 (Exhibit 14 to the original Complaint), JCJC transferred 123.053 acres in Orange County, Virginia

to Justice Farms. The property interest transferred was in excess of the consideration for the transfer and there was no reasonably equivalent value received for the transfer. Although this Deed contains a pro forma recital that the stated consideration for this transfer was \$10.00, the Deed certifies that no consideration was paid but that the assessed value of the property conveyed was \$1,182,700. This Deed was executed by Jay Justice on behalf of JCJC.

36. By Special Warranty Deed dated August 12, 2014, recorded on August 15, 2014 (Exhibit 15 to the original Complaint), JCJC transferred 1,559.527 acres in Orange County, Virginia to Justice Farms. The property interest transferred was in excess of the consideration for the transfer and there was no reasonably equivalent value received for the transfer. Although this Deed contains a pro forma recital that the stated consideration for this transfer was \$10.00, the Deed certifies that no consideration was paid but that the assessed value of the Property conveyed was \$7,288,700.00. This Deed was executed by Jay Justice on behalf of JCJC.

37. By Special Warranty Deed dated October 19, 2014, recorded on October 20, 2014 (Exhibit 16 to the original Complaint), JCJC transferred 710 acres in Prince George County, Virginia to Justice Farms. The property interest transferred was in excess of the consideration for the transfer and there was no reasonably equivalent value received for the transfer. Although this Deed contains a pro forma recital that the stated consideration for this transfer was \$10.00, the Deed also certifies that no consideration was paid because it was between related parties, but that the assessed value of the property conveyed was \$1,277,400.00. This deed was executed by Jay Justice on behalf of JCJC.

38. By Quitclaim Deed dated April 5, 2016, recorded on April 6, 2016 (Exhibit 17 to the original Complaint), JCJC transferred 500 acres in Monroe County, West Virginia to Oakhurst Club, LLC. Although this Deed contains a pro forma recital that the stated consideration for this

transfer was \$10.00, it certifies that no consideration was paid because it was a quitclaim deed between related parties. The property interest transferred was in excess of the consideration for the transfer and there was no reasonably equivalent value received for the transfer. This Deed was executed by Stephen W. Ball on behalf of JCJC.

39. By Special Warranty Deed dated May 9, 2016, recorded on May 10, 2016 (Exhibit 18 to the original Complaint), JCJC transferred four tracts of land comprising over 112 acres in Clarendon County, South Carolina to Justice Farms. There was no reasonably equivalent value received for the transfer. Although the Deed recites a pro-forma consideration for this transfer of “Five and no/100 (\$5.00) Dollars and No Consideration to the Grantor in hand paid,” it also includes an Affidavit stating that it is exempt from a recording fee because there was “No Consideration” for the transfer. This Deed was executed by Jay Justice on behalf of JCJC.

Other Transfers by JCJC

40. In addition to the above fraudulent conveyances, JCJC has made, or agreed to make, other transfers of assets that Plaintiffs believe are made with the intent to hinder, delay or defraud Plaintiffs as creditors of JCJC. These include those described in the following paragraphs 42 through 47. Upon information and belief, the Defendants used the United States mail and/or wire services in connection with these transfers. Plaintiffs believe and therefore allege that the intent of JCJC and its Co-Conspirators (as defined below) has been and is to convert real property to cash or other assets that will be difficult to trace or that can be dissipated or hidden, with the intent to hinder, delay or defraud Plaintiffs and other creditors.

41. By General Warranty Deed made on April 28, 2014, and executed by Jay Justice (Exhibit 19 to the original Complaint), JCJC transferred certain real property commonly described as 302 S. Jefferson Street, Roanoke, Virginia to 302 Jefferson, LLC, a Virginia limited liability

company. Upon information and belief, 302 Jefferson, LLC is an affiliate of JCJC. This deed recites that the consideration was \$3,200,000.

42. By Special Warranty Deed dated November 25, 2014, and recorded on November 26, 2014 (Exhibit 20 to the original Complaint), JCJC transferred over 3900 acres in Clarendon County, South Carolina, to Jay Justice. An Affidavit with this deed recites that the consideration “paid or to be paid” is \$13,500,000. Plaintiffs do not know if this amount has been paid or, if so, to whom. This deed was executed by Steve Ball.

43. Beginning in 2014, JCJC entered into agreements to sell over twenty thousand acres of real property located in North Carolina, South Carolina and Virginia to affiliates of Farmland Partners, Inc. (“FPI (REIT)”), a publically traded real estate investment trust organized under the laws of Maryland in two separate transactions. FPI (REIT) acquires farmland throughout the United States and then leases the farmland to others. Upon information and belief, Farmland Partners Operating Partnership (“FP Operating Partnership”) is owned by FPI (REIT). FP Operating Partnership owns and operates several subsidiaries, including FPI Colorado, LLC (“FPI-CO”) and FPI Carolinas, LLC (“FPI-CAR”). These two transactions were pursuant to Real Estate Purchase Agreements signed on November 13, 2014 (“REPA I”) and March 23, 2015 (“REPA II”) and are described below.

a. The first real estate purchase agreement, REPA I, contracted to convey seven farms in Marion, Lee, Clarendon, and Sumter Counties, South Carolina to FPI-CO. On or about December 22, 2014, JCJC and Ten Mile Bay, LLC entered into REPA I with FPI-CO to transfer 6,819 acres of real property to FPI-CO for a purchase price of \$28,000,000, payable by wire transfer. This purchase price was later amended to \$27,450,000. REPA I allowed the sellers to lease back the property at a rate of \$746,147 (later increased to

\$764,727.54) per year for three years. REPA I also included a repurchase option, allowing the sellers to repurchase the property on the third anniversary of the Agreement. REPA I was signed by “James C. Justice” on behalf of JCJC.

b. By Special Warranty Deed dated December 22, 2014, recorded in Sumter and Clarendon Counties on December 22 and 23, 2014, respectively, JCJC transferred fourteen parcels containing approximately 3,000 acres in Sumter and Clarendon Counties, South Carolina to FPI-CO. These deeds contain pro forma recitals of \$5.00 consideration, but the Affidavits of Consideration attached to the deeds state that this is “an arm’s length real property transaction and the sales price paid or to be paid in money or money’s worth was \$11,416,327.12” [for the deed recorded in Clarendon County] and \$3,926,261.88 [for the deed recorded in Sumter County]. These deeds reserved a repurchase option by the grantors. These deeds were executed by Governor Justice on behalf of JCJC. Upon information and belief, the transaction evidenced by these deeds were part of the transaction pursuant to REPA I. Copies of these deeds recorded in Clarendon and Sumter Counties are attached to the original Complaint as Exhibits 21 and 22, respectively.

c. By Warranty Deed dated December 22, 2014, recorded on December 23, 2014 (Exhibit 23 to the original Complaint), JCJC transferred nine tracts containing over 2,100 acres in Marion County, South Carolina to FPI-CO. This deed contains a pro forma recital of \$5.00 consideration, but the Affidavit of Consideration attached to the deed states that it is “an arm’s length real property transaction and the sales price paid or to be paid in money or money’s worth was \$7,034,063.00.” This deed was executed by Governor Justice on behalf of JCJC. Upon information and belief, the transaction evidenced by this deed was part of the transaction pursuant to REPA I.

d. The second real estate purchase agreement, REPA II, contracted to convey eight farms in three states. On or about June 2, 2015, Jay Justice, individually, JCJC, Justice Farms and Alabama Carbon, LLC, as “Seller” entered into REPA II with FPI-CAR (the “Buyer”), FPI (REIT) and FP Operating Partnership to transfer 15,042 acres of property located in Beaufort, Currituck, Pamlico, Pasquotank, and Perquimans Counties, North Carolina; Marlboro County, South Carolina, and Chesapeake, Virginia to FPI-CO. Upon information and belief, the total consideration for this transaction was over \$49,000,000, payable in cash or by wire, 824,398 shares of common stock of FPI (REIT), and 1,993,709 units of limited partnership interest in FP Operating Partnership (“OP Units”), of which 883,723 units were redeemable for cash. REPA II was signed by “James C. Justice” on behalf of JCJC. Upon information and belief, the aggregate fair value of the common stock and OP Units was \$30,914,634, and the total purchase price for this transaction paid to the Sellers, including the cash consideration, common stock of FPI (REIT) and the OP Units was \$80,913,167. *See* excerpt of FPI Form 10-Q for the quarter ended June 30, 2015 (Exhibit 24 to the original Complaint).

e. By Special Warranty Deed dated May 29, 2015, recorded on June 3, 2015 (Exhibit 25 to the original Complaint), JCJC and Justice Farms, transferred three farm properties known as REPA Farm 5, 6 and 7, containing over 3,000 acres in Pasquotank County, North Carolina and Perquimans County, North Carolina to FPI-CAR. The consideration for this transfer was not specified. This Deed reserved a repurchase option by the grantors. This Deed was executed by Governor Justice on behalf of both JCJC and Justice Farms of North Carolina, LLC. Upon information and belief, the transaction evidenced by this deed was part of the transaction pursuant to REPA II.

44. JCJC currently is attempting to sell Flowerdew Hundred Plantation, a 1,300 acre property with a 14,000 square foot house in Prince George County, Virginia. Flowerdew Hundred Plantation previously was listed for sale at \$12.2 million. A copy of a listing for this property is attached as Exhibit 26 to the original Complaint.

45. JCJC currently is attempting to sell Horseshoe Farm, an 880 acre property with a 7,200 square foot house on the Robinson and Rapidan Rivers in Rapidan, Virginia. Horseshoe Farm was previously listed for sale at \$9.2 million. A copy of a listing for this property is attached as Exhibit 27 to the original Complaint.

46. JCJC currently is attempting to sell Rapidan Farm, a 1,700 acre property in Culpeper, VA. The improvements on the property include a 4,500 square foot main house as well as several other homes. Rapidan Farm previously was listed for sale for \$18.8 million. A copy of a listing for this property is attached as Exhibit 28 to the original Complaint.

Transfers of Kentucky Fuel's Assets to Affiliates and Insiders

47. Beginning in 2013, Kentucky Fuel also engaged in a series of transactions designed to transfer its assets with the intent to hinder, delay or defraud its creditors, including Plaintiffs. The transactions that are known at the time of the filing of this Second Amended Complaint relate to the transactions between Kentucky Fuel and New Lead Holdings, Limited, ("New Lead") that are described in various filings in the Fivemile Action, including Plaintiff's Memorandum in Support of Motions for Sanctions and Renewed Motion under Rule 55 Based Upon Changed Circumstances and New Facts (D.E. 357).

48. In 2013, Kentucky Fuel entered into a series of transactions by which it agreed to assign the Fivemile leases and mining permit to New Lead. In various agreements relating to that transaction, Kentucky Fuel agreed that certain of New Lead's financial obligations to Kentucky

Fuel would be paid by a company called Hanover Holdings I, LLC (“Hanover”), which was an affiliate of the Magna Group (“Magna”).

49. Part of the consideration paid by New Lead for the Fivemile assets was a promissory note in the original principal amount of \$7,500,000, made by New Lead payable to Kentucky Fuel. Kentucky Fuel and New Lead agreed that pursuant to a Debt Purchase Agreement (the “DPA”) that was entered into in late 2013, Hanover would purchase three notes totaling \$11,000,000 that represented part of the initial purchase price for the Fivemile assets. These included the \$7,500,000 note made by New Lead payable to Kentucky Fuel. Hanover would then make payments to Kentucky Fuel pursuant to a payment schedule negotiated between the parties. Thus, the payments by Hanover pursuant to the DPA were actually payments on behalf of New Lead for the valuable Fivemile leases and permit that Plaintiffs had assigned to Kentucky Fuel in the Fourth Amendment.

50. Upon information and belief, the Defendants used the United States mail and/or wire services in connection with these transfers. For example, Roger D. Hunter, General Counsel for JCJC, Kentucky Fuel, Southern Coal Corporation, and other Justice Enterprise entities confirmed Kentucky Fuel’s acceptance of the terms of the New Lead transaction in a letter attached to an email, both dated October 23, 2013, to Ted Claypoole, an attorney representing New Lead at the time. Copies of this email were sent to Steve Ball, Dustin Deane, John McCague, and Lloyd Williams. In this Kentucky Fuel letter, on Southern Coal letterhead, Mr. Hunter explained the payment terms of the deal, including the \$7.5 million note New Lead was to pay to Kentucky Fuel. The letter also suggested modifications, such as setting a closing date within the week, conditioning Kentucky Fuel’s acceptance “on successful negotiation and execution” of Debt Purchase Agreements between Kentucky Fuel and Magna within two days, and the execution of a number of other documents, including a “Guaranty of Newlead of Magna’s obligations to Existing

Noteholders” which included Kentucky Fuel. Mr. Hunter also asked that Mr. Claypoole forward the “acceptance of the Newlead Proposal to Newlead and its Chairman Mr. Zolotas.” This email from Mr. Hunter and the accompanying letter are attached to this Second Amended Complaint as Exhibit 33.

51. The payments owed to Kentucky Fuel for the Fivemile Assets, however, were not made to Kentucky Fuel. They were instead diverted by wire transfer to Jay Justice’s personal brokerage account at Goldman Sachs and to Justice Management Services. These payments include the following:

<u>Date</u>	<u>Amount</u>	<u>Recipient</u>
12/23/13	\$508,575	James C. Justice, III Brokerage Acct.
1/6/14	\$500,000	James C. Justice, III Brokerage Acct.
1/17/14	\$500,000	James C. Justice, III Brokerage Acct.
2/19/14 ²	\$339,050	James C. Justice, III Brokerage Acct.
2/26/14	\$339,050	Justice Management Services
3/31/14	\$1,084,960	Justice Management Services
4/30/14	\$1,084,960	Justice Management Services
6/2/14	\$1,084,960	Justice Management Services
6/16/14	\$2,068,205	Justice Management Services

52. Employees working for the companies within the Justice Enterprise used email communications to instruct others how to wire these amounts to Justice Management Services and Jay Justice’s brokerage account that should have gone to Kentucky Fuel. In a December 20, 2013 email, Roger Hunter, provided wire instructions to Marc Manuel at Magna so that Magna could wire the funds. Copied on this email exchange were Steve Ball and Dustin Deane of JCJC, as well as other Magna representatives. The account name and number that the JCJC’s General Counsel provided, however, was for Jay Justice’s personal brokerage account at Goldman Sachs. Marc Manuel confirmed this wire transfer was made four days later in an email in which Roger Hunter

was copied, among others. This email exchange is attached as Exhibit 34. [13cc]

53. Max Riccio of Magna also confirmed two of the wire transfers listed above in the amounts of \$500,000 each to Kentucky Fuel (ostensibly) in January 6, 2014 and January 17, 2014 emails to Marc Manuel of Magna and Michael Zolotas of NewLead Holdings, Ltd. Roger Hunter was copied to both of these emails. These email exchanges are attached hereto as Exhibit 35.

54. The Plaintiffs have learned of another transfer involving coal mines conveyed to FR Performance, LLC. FR Performance, LLC is an entity wholly owned by Freddie Revis, an equipment manager for Justice. Dustin Deane, an inhouse attorney for the Defendants, drafted and filed the organizing documents for FR Performance, LLC with the Virginia Secretary of State to enable soon-to-follow conveyances. Between July and September 2018, the Defendants caused the transfer of ownership of multiple mines located in Harlan and Pike County, Kentucky to FR Performance, LLC. Upon information and belief, Mr. Revis does not have the independent financial wherewithal or expertise to purchase and operate these mines. The Plaintiffs' investigation continues but, upon information and belief, the Defendants made these transfers to Mr. Revis's company in an efforts to further shield their assets and this was accomplished with the legal assistance of their in-house attorney. Although the Plaintiffs' do not now know all the details of these transactions, Plaintiffs believe that discovery will show that little to no consideration changed hands for these mine conveyances.

55. These descriptions are but examples of how persons within the Justice Enterprise used wires and emails to receive income derived from a pattern racketeering activity, acquire or maintain an interest in or control of the Justice Enterprise, and conduct or participate in the conduct of the Justice Enterprises' affairs. These examples are not intended to be exhaustive. Defendants'

² This transfer to Mr. Justice may not have been completed.

use of wires and emails, being indictable under 18 USC §§ 1341 and 1343, provide predicate acts upon which their pattern of racketeering activity rests.

The Bluestone Transaction

56. The Justices, JCJC, Bluestone Industries, Dynamic Energy, JCJ Coal Group, and Bluestone Resources also have engaged in a series of transactions designed to transfer the assets of other Justice entities with the intent to hinder, delay or defraud its creditors, including Plaintiffs.

57. Upon information and belief, in 2009 the Justices, James C. Justice II, as Trustee of the trusts James C. Justice II GRAT No. 1 and James C. Justice II GRAT No. 2 and Jill Justice, transferred to Russian steel producer Mechel Bluestone, Inc., and Mechel Mining OAO (jointly, “Mechel”) certain entities and/or their assets. All of the details of this transaction are not yet known to Plaintiffs, but the transactions are described upon information and belief in the following paragraphs.

58. Upon information and belief, the entities transferred were Bluestone Industries, Dynamic Energy, and JCJ Coal Group, (together, “Original Bluestone”), which owned certain coal properties and related assets in West Virginia. This transfer was made pursuant to a merger agreement with Mechel (the “Merger Agreement”). The Original Bluestone Companies were merged into Mechel Bluestone, Inc., which was a holding company.

59. The Merger Agreement provided that if additional coal were discovered on the Bluestone Properties within two years, then Mechel would pay Justice an additional amount based upon the amount of additional coal discovered (the “Contingent Payment”).

60. As part of the consideration for its purchase of Original Bluestone, Mechel agreed to pay \$436 million in cash, approximately 83.3 million shares of preferred stock in Mechel OAO (worth an estimated \$1.5 billion), and the Contingent Payment, which was based upon coal reserves

as determined in a subsequent engineering report. Mr. Steve Ball estimated that, based upon the estimated additional coal reserves, the Contingent Payment should have been approximately \$180 million. Pursuant to the Merger Agreement, another company estimated that there were approximately 60 million tons of additional reserves, which would have equated to a Contingent Payment of approximately \$165 million.

61. Upon information and belief, at the time of the sale of Original Bluestone to Mechel, JCJC owned approximately 19% of Original Bluestone. JCJC's share of the Contingent Payment therefore was approximately \$31,350,000 (based upon a Contingent Payment of \$165 million).

62. Upon information and belief, in 2015 the Justices and Mechel negotiated a transaction whereby the Justices would repurchase Original Bluestone and/or the Bluestone Assets by acquiring 100% of the shares in Mechel Bluestone, which held the coal assets formerly held by Original Bluestone. In 2015, the Justices formed or caused to be formed a new entity, Bluestone Resources ("New Bluestone") to acquire Mechel and the Bluestone Assets. Upon information and belief the Justices own 100% of New Bluestone (Governor Justice 60% and Jay Justice 40%)

63. Upon information and belief, the Justices agreed that the consideration to Mechel for the repurchase of what had previously been the Original Bluestone, which originally was at least approximately \$600 million (\$165 million in cash and the Contingent Payment) in addition to the Mechel stock, was a total of approximately \$170 million. That approximate \$170 million purchase price consisted of \$5 million in cash and cancellation of the obligation to pay the Contingent Payment of approximately \$165 million. Of this consideration, approximately \$31,350,000 came from JCJC, representing its share of the Contingent Payment. This transfer of the Bluestone Assets to New Bluestone, owned 100% by Governor Justice and Jay Justice was done with the intent, and had the effect, of stripping JCJC's interest in the Contingency Payment, and diverting that value to

the Justices through their 100% interest in New Bluestone. The Justices, who had previously owned only part of Original Bluestone acquired 100% of its assets at the expense of JCJC, thereby transferring and extinguishing JCJC \$31,350,000 interest in the Contingent Payment. This transfer was made for no consideration or for inadequate consideration to JCJC.

64. Upon information and belief, the Defendants utilized the mail and wires in a manner that violates of federal law as part of the Bluestone transaction.

COUNT I
(Fraudulent Transfers)

65. Plaintiffs reaffirm and reallege the allegations of the above paragraphs as if set forth fully herein.

66. The transfers of real property and other assets described above by JCJC and Kentucky Fuel were made without valuable consideration. They were made with the actual intent to hinder, delay or defraud Plaintiffs, who were creditors of JCJC and Kentucky Fuel.

67. JCJC did not receive a reasonably equivalent value in exchange for the transfers described in paragraphs 32-40, above, and it was engaged in a business for which its remaining assets were unreasonably small in relation to the business.

68. Kentucky Fuel did not receive a reasonably equivalent value in exchange for the transfers described in paragraphs 41-47, above and it was engaged in a business for which its remaining assets were unreasonably small in relation to the business.

69. The transfers by JCJC described herein that were made after it was served with the original Complaint in the Fivemile Action and, in any event, after the Magistrate Judge's initial Report and Recommendation for sanctions and default judgment on March 25, 2013, were made because JCJC believed that it would incur debts beyond its ability to pay or which it did not desire to pay as they became due.

70. The transfers of Kentucky Fuel's assets described in paragraphs 41-47, above, were made when Kentucky Fuel believed that it had incurred or would incur debts beyond its ability to pay as they became due. Upon information and belief, Kentucky Fuel was insolvent or was rendered insolvent by such transfers.

71. The transfers described above were made at a time when JCJC and Kentucky Fuel were not paying their debts as they became due. JCJC and Kentucky Fuel were not paying either the monthly retainer fees or the rents due under the lease of the Strong Brothers Property when due. Prior to 2016 they were not paying the minimum royalties due under the Fourth Amendment when they were due. As a result, JCJC and Kentucky Fuel were presumptively insolvent at the time of these transfers. In addition, upon information and belief, JCJC and Kentucky Fuel and their affiliates were not paying mine safety fines, taxes and federal and state tax liens as these debts became due. *See* Exhibit 29 to original Complaint.

72. JCJC and Kentucky Fuel also have represented that Plaintiffs would have difficulty in collecting a judgment against them. They have represented that they would have to file bankruptcy if Plaintiffs were awarded a judgment in the Fivemile Action in the amount originally recommended by the Magistrate Judge.

73. Because the conveyances executed by Jay Justice as described herein constituted fraudulent and tortious conduct, he is personally liable for the damages caused thereby.

74. Defendants' actions described herein violate the Kentucky Fraudulent Conveyance Act, KRS Chapter 378, §§ 378.010, et seq., including §§ 378.010 – 378.030, and the Kentucky Uniform Voidable Transactions Act, KRS Chapter 378A, § 378A.010, et seq., including §§ 378A.040 and 378A.050, entitling Plaintiffs to the remedies provided by those statutes and at common law.

75. Alternatively, Defendants' actions described herein violate the Virginia Fraudulent Conveyance Act, Code of Virginia § § 55-80 and 55-81 and the common law of Virginia.

76. As a direct and proximate result of the above transfers and Defendants' actions described herein, the Plaintiffs have been damaged in that the Defendants have transferred Justice Companies' and Kentucky Fuel's assets in a manner that will prevent Plaintiffs from collecting the full amount of the debt owed by these Defendants to them, absent relief by this Court.

77. The Defendants' conduct in making the fraudulent conveyances described herein was intentional and/or involving oppression, fraud, or malice, thereby entitling Plaintiffs to an award of punitive damages.

COUNT II (Conspiracy)

78. Plaintiffs reaffirm and reallege the allegations of the above paragraphs as if set forth fully herein.

79. Jay Justice, Justice Farms, Southern Minerals, Oakhurst Club, and Justice Management Services (the "Co-Conspirators") (collectively with JCJC and Kentucky Fuel, the "Conspirators") entered into an agreement or combination to accomplish an unlawful act by defrauding Plaintiffs by fraudulently transferring or liquidating the assets of JCJC as described herein.

80. As set forth above, Jay Justice, individually was a transferee of certain of the fraudulent conveyances of JCJC's assets. As such, and because he was acting to benefit himself personally and individually, he was not acting in the interest of JCJC. Thus, he stood as a third party with respect to JCJC and Plaintiffs.

81. This agreement was an unlawful and corrupt agreement by the Conspirators to accomplish an unlawful goal of fraudulently transferring or liquidating valuable real estate and

belonging to JCJC, so that Plaintiffs could not collect the debts owed to them by JCJC.

82. The Co-Conspirators acted in concert with JCJC to make the fraudulent conveyances described herein and pursuant to a common design with JCJC to accomplish this unlawful goal.

83. The Co-Conspirators knew that JCJC's conduct described herein constituted a breach of duty and gave substantial assistance or encouragement to JCJC to breach its duties and accomplish its unlawful goal.

84. Jay Justice, Kentucky Fuel and Justice Management Services entered into an agreement or combination to accomplish an unlawful act by defrauding Plaintiffs by fraudulently transferring or liquidating the assets of Kentucky Fuel as described herein.

85. As set forth above, Jay Justice, individually was a transferee of certain of the assets of Kentucky Fuel. As such, and because he was acting to benefit himself personally and individually, he was not acting in the interest of Kentucky Fuel. Thus, he stood as a third party with respect to Kentucky Fuel and Plaintiffs.

86. This agreement between Kentucky Fuel, Jay Justice and Justice Management Services was an unlawful and corrupt agreement to accomplish an unlawful goal of fraudulently transferring or liquidating monies owed to Kentucky Fuel, so that Plaintiffs could not collect the debts owed to them by Kentucky Fuel.

87. Jay Justice, Justice Management Services and Kentucky Fuel acted in concert to make the fraudulent conveyances described herein and pursuant to a common design to accomplish this unlawful goal.

88. Jay Justice and Justice Management Services knew that Kentucky Fuel's conduct described herein constituted a breach of duty and gave substantial assistance or encouragement to

Kentucky Fuel to breach its duties and accomplish its unlawful goal.

89. As a direct and proximate result of the unlawful conspiracies described herein, Plaintiffs have been damaged.

90. Jay Justice, Governor Justice, JCJC, Original Bluestone, and New Bluestone (the “Bluestone Co-Conspirators”) entered into an agreement or combination to accomplish an unlawful act by defrauding Plaintiffs by fraudulently transferring or liquidating the assets of JCJC as described herein.

91. As set forth above, Jay Justice and Governor Justice, individually, were transferees of certain of the fraudulent conveyances of JCJC’s assets. As such, and because they were acting to benefit themselves personally and individually, they were not acting in the interest of JCJC. Thus, they stood as a third parties with respect to JCJC and Plaintiffs.

92. This agreement was an unlawful and corrupt agreement by the Bluestone Co-Conspirators to accomplish an unlawful goal of fraudulently transferring or liquidating valuable real estate and belonging to JCJC, so that Plaintiffs could not collect the debts owed to them by JCJC.

93. The Bluestone Co-Conspirators acted in concert with JCJC to make the fraudulent conveyances described herein and pursuant to a common design with JCJC to accomplish this unlawful goal.

94. The Bluestone Co-Conspirators knew that JCJC’s conduct described herein constituted a breach of duty and gave substantial assistance or encouragement to JCJC to breach its duties and accomplish its unlawful goal.

COUNT III
(RICO)

95. Plaintiffs reaffirm and reallege the allegations of the above paragraphs as if set forth fully herein.

96. Defendants' actions described above violate the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 USC § 1962.

97. The operation of the Justice Enterprise as described above affects interstate and foreign commerce, as evinced by its Bluestone transaction with Russian businesses.

98. Defendants are all persons associated with the Justice Enterprise who have engaged in fraudulent transfers of assets, money, and real property. These transfers involved the transferring of things of value from one Justice Enterprise entity to another so as to deprive creditors like the Plaintiffs of payments to which they are entitled, thus establishing a purpose other than the predicate acts.

99. Defendants participated, either directly or indirectly, in directing or management of the conduct or affairs of the Justice Enterprise and knowingly carried out decisions made on its behalf.

100. The Defendants' fraudulent transfers were conducted through the use of mail and wires, and amount to violations of the federal wire and mail fraud statutes (18 USC §§ 1341 and 1343), which each amount to predicate acts. Taken together, the Defendants' series of fraudulent transfers made in violation of the federal wire and mail fraud statutes constitute a pattern of racketeering activity in furtherance of the scheme. These related activities have been taking place for a significant time period, as noted by numerous news articles (some of which are attached as exhibits), and are likely to continue to occur.

101. Defendants have received income derived, directly or indirectly, from their pattern of racketeering activity as described herein. Defendants have used or invested, directly or indirectly, some part of such income, or the proceeds thereof, in the establishment or operations of the Justice Enterprise. Thus, Defendants have thereby violated RICO, §1962(a).

102. Defendants, through the pattern of racketeering activity described herein, have acquired or maintained control, directly or indirectly of the Justice Enterprise, all in violation of RICO §1962(b).

103. Defendants are associated with the Justice Enterprise and have conducted or participated, directly or indirectly, in the affairs of the Justice Enterprise, through a pattern of racketeering activity by committing multiple acts of mail fraud or wire fraud. Defendants' actions described herein violate §1962(c) of the RICO Act.

104. Defendants' fraudulent activities were perpetuated with the conscious intent to execute a scheme to mislead and defraud Plaintiffs as creditors of JCJC.

105. As a direct and proximate result of Defendants' conduct and violation of the RICO Act, Plaintiffs have suffered damages in an amount that has not been determined, but which is believed to exceed \$1,000,000. Plaintiffs are further entitled to recover treble damages.

COUNT IV
(Attorneys' Fees and Costs)

106. Plaintiffs reaffirm and reallege the allegations of the above paragraphs as if set forth fully herein.

107. This action is a lawsuit that relates to the Fourth Amendment. The Plaintiffs therefore are entitled to recover from JCJC and Kentucky Fuel, all costs, fees and expenses, including attorneys' fees and expenses, incurred in connection with this action. The remaining Defendants are vicariously liable for such fees and expenses as Co-Conspirators.

108. Plaintiffs are further entitled to recover their reasonable attorneys' fee and costs pursuant to Code of Virginia § 55-82.1.

WHEREFORE, Plaintiffs pray that the Court take jurisdiction of this matter and grant them the following relief.

- (1) Judgment against the Defendants, James C. Justice, II, James C. Justice, III, James C. Justice Companies, Inc., Justice Farms of North Carolina, LLC, Oakhurst Club, LLC, Southern Minerals, LLC, Bluestone Resources, Inc., Justice Management Services, LLC, Bluestone Industries, Dynamic Energy, JCJ Coal Group, Bluestone Resources, and any immediate or mediate transferees of the first transferees described herein, other than one who took in good faith for value, for compensatory damages in the amount of any judgment awarded to Plaintiffs in the Fivemile Action or the value of the properties transferred, whichever is less;
- (2) An award of punitive damages in the amount of at least \$16,990,000;
- (3) A judgment that the transfers described herein are made with actual intent to hinder, delay or defraud Plaintiffs void;
- (4) Judgment for three times the amount of Plaintiffs' actual damages, including attorneys' fees, pursuant to 18 USC § 1964(c);
- (5) A lien *lis pendens* or an attachment of the properties transferred or other property of the transferees, as may be permitted by law;
- (6) All Plaintiffs' attorneys' fees and costs incurred in connection with this action; and such other relief as the circumstances may require, including pre-judgment interest and the costs of these proceedings.

/s/ W. Edward Shipe

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*W. Edward Shipe (023887)

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Counsel for New London Tobacco

Market, Inc., and Fivemile Energy, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt of this 29th day of April, 2019.

/s/ W. Edward Shipe

EXHIBIT 30

Name: James C. Justice, II

Candidate

Return completed form to:
WV Ethics Commission
210 Brooks Street, Suite 300
Charleston, WV 25301
(304)558-0664 or 1(866)558-0664



Candidate information, if applicable
County: Greenbrier
Candidate for: Governor
Date you filed for candidacy: January 12, 2016
District or circuit if applicable

Received

JAN 21 2016

WV Ethics Commission

West Virginia Ethics Commission Financial Disclosure Statement

Hand Delivered

Revised: 12-9-14

Directions

- Please read and answer **every question**—even if your answer is “N/A” (not applicable). Incomplete original Statements will be returned to you for completion or correction.
- You must file a new Financial Disclosure Statement each year you hold or run for a public position.
- If this is your annual filing, the Statement is due by February 1.
- If you are a new appointee, this Statement is due within 30 days of the date of your appointment.
- If you are a candidate for public office, this Statement is due within 10 days of filing your *Certificate of Candidacy*.
- The information you provide on this Statement covers the prior calendar year.
- You may attach additional pages to this form if necessary.

1. Name of filer and spouse

Filer's last name Justice, II First name James C.
Spouse's last name Justice First name Cathy L.
County of residence Greenbrier
Business (employment) address 300 West Main Street
City/state/zip White Sulphur Springs, WV 24986

2. Elective Office

Do you currently hold a county, circuit or state elected office? Yes _____ No x

If yes, title of office: _____

Are you a candidate, or do you plan to become a candidate for public office in the next election? N/A _____ Yes x No _____

If yes, for what office: Governor Date you filed for candidacy: January 12, 2016

3. Positions on State Boards, Commissions or Agencies

List all State Boards, Commissions or Agencies on which you now serve or have served in the past 12 months through appointment by the Governor. ☒ Mark here if N/A

Name: James C. Justice, II**4. Business Names**

List all names under which you and/or your spouse conduct or do business. If you or your spouse are self-employed, list the name or names under which you or your spouse conducts the business, trade, sole proprietorship or profession.

☐ Mark here if no business names to report

self ☒ spouse ☐

See attached listing.

self ☐ spouse ☒

Comer Electric, Inc. (Inactive)

self ☐ spouse ☐

5. Employment

For you and your spouse, list the name and address of each full-time or part-time employer(s) during the preceding calendar year. Include all employment with city, county or state government as well as employment in the private sector. Provide your job title and a general description of your job duties. For purposes of this question, an employer is one who provides you with a W-2 form. This does not include self-employment if listed elsewhere on the Financial Disclosure Statement.

☐ Mark here if neither you nor your spouse were employed during the past year.

Employer Name and Address		Job title and duties of your position
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	1. Greenbrier Hotel Corporation 300 West Main Street, White Sulphur Springs, WV 24986	Chairman and CEO
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	2. Greenbrier County Schools P. O. Box 987, Lewisburg, WV 24901	Head Boys and Girls Basketball Coach
self <input type="checkbox"/> spouse <input type="checkbox"/>	3.	
self <input type="checkbox"/> spouse <input type="checkbox"/>	4.	

6. 20% Gross Income Categories for you and your spouse

Did you or your spouse receive more than 20% of your gross income during the past calendar year from any one or more of the categories listed below? Yes x No If yes, mark with an 'X' all categories that apply to you and/or your spouse.

self	spouse	self	spouse	self	spouse
COMPANIES		MINING		GOVERNMENT	
<input type="checkbox"/>	<input type="checkbox"/> Advertising	<input type="checkbox"/>	<input type="checkbox"/> Surface mining	<input type="checkbox"/>	<input type="checkbox"/> City or town
<input type="checkbox"/>	<input type="checkbox"/> Beer, wine or liquor (or distributor)	<input type="checkbox"/>	<input type="checkbox"/> Mining equipment	<input type="checkbox"/>	<input type="checkbox"/> County
<input type="checkbox"/>	<input type="checkbox"/> Brokerage/Financial Advisor	<input type="checkbox"/>	<input type="checkbox"/> Deep mining	<input type="checkbox"/>	<input type="checkbox"/> State
<input type="checkbox"/>	<input type="checkbox"/> Cable television	OIL OR GAS		ASSOCIATIONS OR ORGANIZATIONS	
<input type="checkbox"/>	<input type="checkbox"/> Chemical	<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input type="checkbox"/> Labor Association/Organization
<input type="checkbox"/>	<input type="checkbox"/> Construction	<input type="checkbox"/>	<input type="checkbox"/> Wholesale	<input type="checkbox"/>	<input type="checkbox"/> Professional Association
<input type="checkbox"/>	<input type="checkbox"/> Insurance	<input type="checkbox"/>	<input type="checkbox"/> Exploration	<input type="checkbox"/>	<input type="checkbox"/> Association that promotes gaming or lottery
<input type="checkbox"/>	<input type="checkbox"/> Interstate transportation	<input type="checkbox"/>	<input type="checkbox"/> Production & Drilling	<input type="checkbox"/>	<input type="checkbox"/> Association of public employees or public officials
<input type="checkbox"/>	<input type="checkbox"/> Intrastate transportation	UTILITIES		<input type="checkbox"/>	<input type="checkbox"/> Trade Association or Organization
<input type="checkbox"/>	<input type="checkbox"/> Manufacturing	<input type="checkbox"/>	<input type="checkbox"/> Electric	OTHER	
<input type="checkbox"/>	<input type="checkbox"/> Media	<input type="checkbox"/>	<input type="checkbox"/> Gas	<input type="checkbox"/>	<input type="checkbox"/> Economic Development
<input type="checkbox"/>	<input type="checkbox"/> Promotional	<input type="checkbox"/>	<input type="checkbox"/> Telephone	<input type="checkbox"/>	<input type="checkbox"/> Hospitals or other health care providers
<input type="checkbox"/>	<input type="checkbox"/> Race tracks	<input type="checkbox"/>	<input type="checkbox"/> Water	<input type="checkbox"/>	<input type="checkbox"/> Information Technology
<input type="checkbox"/>	<input type="checkbox"/> Recreation	FINANCIAL		<input type="checkbox"/>	<input type="checkbox"/> Legal service providers
<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input checked="" type="checkbox"/> Banks, Savings & Loan Assoc.	<input type="checkbox"/>	<input type="checkbox"/> Lobbying
<input type="checkbox"/>	<input type="checkbox"/> Timber	<input type="checkbox"/>	<input type="checkbox"/> Loan or Finance Companies		
<input type="checkbox"/>	<input type="checkbox"/> Wholesale				
<input type="checkbox"/>	<input type="checkbox"/> Waste disposal				

WV Ethics Commission Financial Disclosure Statement

James C. Justice, II

Responses to Specific Questions:

Question 6-20% Gross Income Catagories

OTHER

Self-Lodging/Hotel/Resort

Name: James C. Justice, II**7. For-Profit Business**

List the name and address of each for-profit business on which either you or your spouse serves on the Board of Directors or as an officer. Describe the type of business.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a for-profit business.

Name and address of the business	Description of the business
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	
See attached listing	
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/> Comer Electric, Inc. P. O. Box 2178, Beaver, WV 25813-2178	Electrical Contractor (Inactive)
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/> First National Bank P. O. Box 457, Ronceverte, WV 24970	Commercial Bank

8. Non-Profit Organization

List the name and address of each non-profit organization on which either you or your spouse serves on the Board of Directors or as an officer. Describe the non-profit organization.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a non-profit organization.

Name and address of the organization	Description of the non-profit
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> Beckley Little League, Inc. 818 North Eisenhower Drive, Beckley, WV 25801	Chartered Little League Program
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/> Old White Charities, Inc. 300 West Main Steet, White Sulphur Springs, WV 24986	Operates a PGA Licensed Charity Golf Tournament
self <input type="checkbox"/> spouse <input type="checkbox"/>	

9. Sales or Contracts with State, County or Local Government

During the past calendar year, did you or your spouse have any sales or contracts with any unit of state, county or local government? Yes ☒ No ☐ (Sales or contracts for goods or services may be either direct or through a partnership, corporation or association in which either you or your spouse owned or controlled more than 10 percent.)

If yes, identify the government agency that purchased the goods or services, and describe the nature of the goods or services. (See the instruction sheet for more information about the Ethics Act's prohibition against having an interest in a public contract under W. Va. Code § 6B-2-5(d).)

Name of Government organization	Description of goods or services provided
self spouse <input checked="" type="checkbox"/> Example: State of WV DHHR	Foster home placement studies
self <input checked="" type="checkbox"/> spouse Example: Clay County Sheriff's Department	Rental of garage space for patrol cars
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> See attached listing.	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

10. Adult Children – Public Employment

List the name and business address of any adult child or step-child employed by any unit of state, county or local government.

☒ Mark here if this question does not apply to you.

Name of child or step-child	Business address

WV ETHICS COMMISSION		
FINANCIAL DISCLOSURE STATEMENT		
JAMES C. JUSTICE, II		
QUESTION 9-SALES OR CONTRACTS WITH GOVERNMENT AGENCIES		
(ALL LISTED FALL INTO "SELF" CATEGORY)		
NAME OF GOVERNMENT ORGANIZATION	SALES BY OR CONTRACT WITH	DESCRIPTION OF GOODS OR SERVICES
WV DEVELOPMENT OFFICE	OLD WHITE CHARITIES	GOLF TOURNAMENT SPONSORSHIP
MARSHALL UNIVERSITY BOARD OF DIRECTORS	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
MARSHALL UNIVERSITY DEPT OF ORTHOPAEDIC SURGERY	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
MARY BABB RANDOLPH CANCER CENTER	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WVU COACHES	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WEST VIRGINIA LOTTERY COMMISSION	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV DIVISION OF TOURISM	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
MARSHALL UNIVERSITY FOUNDATION	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WVU FOUNDATION BOARD OF DIRECTORS	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV DEVELOPMENT OFFICE	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV STATE FIRE COMMISSION	THE GREENBRIER	LODGING, MEALS, AMENITIES, MEETING FACILITIES
GOVERNORS HIGHWAY SAFETY PROGRAM	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV OFFICE OF DISCIPLINARY COUNSEL	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV DEPARTMENT OF HEALTH AND HUMAN RESOURCES	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV DEPART OF MILITARY AFFAIRS AND PUBLIC SAFETY	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV DEPART OF TRANSPORTATION-DIVISION OF HIGHWAYS	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV DIVISION OF CORRECTIONS	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV DIVISION OF JUSTICE & COMMUNITY SERVICE	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV STATE AUDITORS OFFICE	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV STATE TAX DEPARTMENT	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WV STATE TREASURERS OFFICE	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES
WVU CENTER FOR EXCELLENCE IN DISABILITIES	GLADE SPRINGS RESORT	LODGING, MEALS, AMENITIES, MEETING FACILITIES

Name: James C. Justice, II**11. DEBTS**

A. Owed to others: List the names of all persons residing or transacting business in the state who you owe more than \$5,000 (in the aggregate) on the date of this Statement. Include debts you owe in the name of any other person and debts on which you are a cosigner.

You **DO NOT** have to report:

1. Debts to immediate family members, parents or grandparents
2. Home mortgages for your primary and secondary residences
3. Loans for autos maintained for the use of your immediate family
4. Student loans
5. Debts resulting from the ordinary conduct of your business, profession or occupation
6. Debts to a financial institution or to a credit card company

If any debt over \$5,000, which is otherwise non-reportable, required the approval of the state or any of its political subdivisions, or if a loan was obtained from the "Linked Deposit Program" (W. Va. Code § 12-1A-1 et seq.), you must list the debt.

☒ **Mark here if you owe no debts as described above.**

B. Owed to you: List the names of all persons residing or transacting business in the state who owe you, in the aggregate, more than \$5,000 on the date of this Statement (either in your name or any other person's name for your use or benefit.)

You **DO NOT** have to report:

1. Debts from immediate family members, parents or grandparents
2. Debts resulting from the ordinary conduct of your business, profession or occupation
3. Demand or saving accounts in banks, savings and loan associations, or other similar depositories
4. Loans by you to any business in which you have an ownership interest

☐ **Mark here if you had no debts owed to you as described above.**

Charles S. Morton

Steven and Holly Gillespie

12. GIFTS

A **gift** is anything with monetary value, including meals and beverages. If you, your spouse, and/or any of your dependents received one or more gifts whose total value is more than \$100 from a person, business or organization which has a direct and immediate interest in a governmental activity over which you have control, then list the name of each giver **UNLESS** it falls into one of the exceptions listed below. "Total value" includes the cumulative fair market value of all gifts from the same source, directly or indirectly, during the previous calendar year.

Gifts from the following sources need **NOT** be reported:

1. your spouse, child, grandchild, parents or grandparents
2. a trust established by your spouse, child, grandchild or ancestor
3. a will or lawful inheritance in the absence of a will
4. a registered lobbyist (*registered lobbyists report these expenditures on the Lobbyist Schedule A form with their Lobbyist Activity Reporting forms*)

☒ **Mark here if you received no gifts as described above.**

Name: James C. Justice, II**This page applies to questions 13 and 14 on the next page.**

**** If you are an elected official, candidate or state or higher education employee, you do not need to complete Worksheet A. You must, however, answer questions 13 and 14 about you and your spouse.**

**** All other filers:** If you have been appointed to serve on a State Board, Commission or Agency by the Governor and receive no compensation for your service, you may not be required to report certain financial information about your spouse. Complete Worksheet A to determine if this spousal exemption applies. You still must report your own income and business information in questions 13 and 14.

Worksheet A (for questions 13 and 14)

Part 1. Are you a State Board, Commission or Agency member appointed by the Governor?

YES ☐ Continue to Part 2.

NO ☒ **DO NOT** complete parts 2 or 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

Part 2. Do you hold another office or employment position that requires you to file this Financial Disclosure Statement?

YES ☐ **DO NOT** complete part 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

NO ☐ Continue to Part 3.

Part 3. Complete this section to determine if you are exempt from disclosing certain financial information about your spouse in questions 13 and 14 on the next page.

List the name of the State Board, Commission or Agency of which you are an appointed member:
Board name: _____

Check each box that applies:

1. ☐ There is no compensation, per diem, salary or other payment authorized by state law for serving on this Board or Commission. (Excluding travel or expense reimbursement) Note: The test is not whether you decline compensation but whether it is authorized by code, statute or law.
2. ☐ Neither my spouse nor a business with which he or she is associated is regulated by the State Board, Commission or Agency on which I serve by appointment. ("Associated" is defined as a business in which your spouse, or his or her immediate family member, is a director, officer, owner, employee, compensated agent or holder of stock which constitutes five percent or more of the total outstanding stocks of any class. "Immediate family member" means dependent children, grandchildren or parents.)
3. ☐ Neither my spouse nor a business with which he or she is associated has a contract with, or receives any grants or appropriations from, the State Board, Commission or Agency on which I (the filer) serve.

➔ **If you have checked all three boxes in Part 3 above, then answer questions 13 and 14 on the next page as they pertain only to you.**

➔ **If you did not check all three boxes in Part 3, you must answer questions 13 and 14 in their entirety as they pertain to both you and your spouse.**

Name: James C. Justice, II**13. ALL sources of income over \$1,000 including employment - (To determine if you must disclose income information about your spouse, refer to Worksheet A)**

- List every source or category of income or employment over \$1,000 received by you and/or your spouse during the preceding calendar year in your name, or by any other person for your use or benefit. Include employment even if listed elsewhere on this Statement.
- Include distributions received from retirement and pension accounts.
- Do not list specific names of clients or customers. *For example*, if you are a lawyer or an insurance agent, do not list the names of your clients.
- Do not disclose actual dollar amounts of income, only the source.

Indicate if the income was received by you or your spouse by marking the appropriate box in the chart below.

Categories of income over \$1,000		Description (or job title)
self <input checked="" type="checkbox"/> spouse	Example: Social Security	U.S. Government
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Sold real estate	Sold residence in Beckley
self <input checked="" type="checkbox"/> spouse	Example: Farming/timber	Sold timber from my farm
self spouse <input checked="" type="checkbox"/>	Example: Employment	Teacher, Mingo County schools
self <input type="checkbox"/> spouse <input type="checkbox"/>	Employment	Greenbrier Hotel Corporation
self <input type="checkbox"/> spouse <input type="checkbox"/>	Employment	Coach-Greenbrier County Schools
self <input type="checkbox"/> spouse <input type="checkbox"/>	Bank Director Fees	First National Bank
self <input type="checkbox"/> spouse <input type="checkbox"/>	Sold real estate	Sold condo in Blacksburg, VA
self <input type="checkbox"/> spouse <input type="checkbox"/>	Interest on CD's	Commercial bank
self <input type="checkbox"/> spouse <input type="checkbox"/>	Dividends	Publicly traded investments

14. Business and/or Property Interests - (To determine if you must disclose business or property interests of your spouse, refer to Worksheet A)

List the name and address of each business in which, during the past calendar year, you or your spouse held an interest with a fair market value of \$10,000 or more including, but not limited to: non-publicly owned businesses, publicly or privately traded stocks, bonds or securities, including those held in self-directed retirement accounts, and commercial real estate. (For purposes of this question, DO NOT include mutual funds or specific holdings in mutual funds or retirement accounts. However, distributions from retirement accounts must be reported in question 13 if they are greater than over \$1,000 annually.) Attach additional sheets if necessary.

☐ Mark here if neither you nor your spouse had any interest in a business or real estate as described above.

self spouse <input checked="" type="checkbox"/>	Example: Jones Coal Hauling, 123 Main Street, Placeville WV
self <input checked="" type="checkbox"/> spouse	Example: Stonefront Apartment Building, 123 Main Street, Charleston WV 25312
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Acme Bank Stock, 788 Water Street, Cincinnati OH 34343
self <input type="checkbox"/> spouse <input type="checkbox"/>	
see attached listing.	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

Rev: 12-9-14

WV Ethics Commission Financial Disclosure Statement

James C. Justice, II

Question 13-All sources of income over \$1,000 including employment-

Supplement:

"Self"-

Income from Privately Held Businesses listed with Question 14.

"Spouse"-

Income from Justice Family Racing, LLC

"Self" – "Spouse"-

Income from sale of Publicly Traded Securities

WV Ethics Commission Financial Disclosure Statement

James C. Justice, II

Attached to this page is responses to specific questions:

Question 4-Business Names

(all related to James C. Justice, II)

Question 7-For-Profit Business (Director and/or Officer)

(all related to James C. Justice, II)

Question 14-Business and/or Property Interests

Page 1 (attached) is Publicly Traded Entities

Pages 2 & 3 (attached) are Privately Held Businesses

The address for all Privately Held Businesses is:

302 South Jefferson Street, Roanoke, VA 24011

All entities on Pages 2 & 3, Privately Held, fall into "SELF" Category.

WV ETHICS COMMISSION		
FINANCIAL DISCLOSURE STATEMENT		
JAMES C. JUSTICE, II		
QUESTION 14-BUSINESS AND/OR PROPERTY INTERESTS		
SEE ATTACHED LISTING OF PRIVATELY HELD BUSINESSES		
PUBLICLY TRADED SECURITIES:		
FEDERATED TAX FREE OBLIGATIONS MONEY MARKET	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
KANAWHA PUTNAM SINGLE FAMILY MORTGAGE BOND	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WV STATE GO REF BONDS	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
APPLIED MATERIALS	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
MICROSOFT	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BANK OF AMERICA	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BERKSHIRE HATHAWAY CLASS A	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BERKSHIRE HATHAWAY CLASS B	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
FIRST NATIONAL BANKSHARES CORPORATION	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
STATE STREET CORP	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
CATERPILLAR	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
GENERAL ELECTRIC	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
ABBOTT LABORATORIES	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
ABBVIE, INC. COM	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BRISTOL MYERS SQUIBB	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
JOHNSON & JOHNSON	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
MERCK & CO.	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
HERSHEY CO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
PEPSICO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
PROCTOR & GAMBLE	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WAL-MART	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
AXIALL CORP	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
EXXON MOBIL	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
TEXCON INC	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WALTER ENERGY	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
FORD MOTOR CO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WALT DISNEY CO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
CHEMOURS CO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
DUPONT	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
PPG INDUSTRIES	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
U S STEEL CORP	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
GOOGLE CLASS A	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
GOOGLE CLASS B	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
CENTURYLINK	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WALTER INVESTMENT MANAGEMENT CORP REIT	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BP, PLC	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
ALLEGION PUB, LTD	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
INGERSOLL RAND	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
APPLE	SPOUSE	C/O SCOTTRADE
AMERICAN CAPITAL, LTD	SPOUSE	C/O SCOTTRADE
AMAZON.COM	SPOUSE	C/O SCOTTRADE
BP, PLC	SPOUSE	C/O SCOTTRADE
DRYSHIPS, INC.	SPOUSE	C/O SCOTTRADE
FORD MOTOR CO	SPOUSE	C/O SCOTTRADE
MICROSOFT	SPOUSE	C/O SCOTTRADE
NETFLIX	SPOUSE	C/O SCOTTRADE
WEST VIRGINIA MEDIA PARTNERS	SELF	350 QUARRIER ST, CHARLESTON, WV 25301
NEXEON MEDSYSTEMS	SELF	1500 BULL LEA ROAD, LEXINGTON, KY 40511
COMPRESSUS	SELF	101 CONSTITUTION AVENUE, NW, WASHINGTON, DC 20001
MECHEL, OAO PREFERRED	SELF	ul. Krasnoarmeyeskaya, d. 1, MOSCOW, 125993, Russian Federation

Entity Name	Business Purpose
A&G Coal Corporation	Coal Mining
Airway Resources, LLC	Mine Permits/Leases
American Turf Grass Corporation	Turf Grass Farm
Baden Reclamation Company	Coal Mine Reclamation
Bardo Mining, LLC	Mine Permits/Leases
Bellwood Corporation	Land Holding Company
BKCC L.L.C.	Black Knight Country Club
Black River Coal, LLC	Coal Mining
Blueridge Farm Center, Inc.	Retail John Deere Sales and Service
Bluestone Coal Corporation	Coal Mining
Bluestone Equipment Management, Inc.	Equipment Maintenance and Service
Bluestone Industries, Inc.	Holding Company
Bluestone Mineral, Inc. (See Mechel Bluestone, Inc.)	Coal Mining
Bluestone Oil Corp.	Fuel Distribution
Bluestone Resources Inc.	Holding Company
Cane Patch Mining Co., Inc.	Coal Mining/Leases
Chestnut Land Holdings, LLC	Land Holding Company
Coaltex, Inc.	Research & Development
Cumberland Valley Contractors, Inc.	Mine Permits/Leases
Double-Bonus Coal Company	Coal Mining
Dublin Properties, L.C.	Land Holdings
Dynamic Energy Inc	Coal Mining
Energy Plus, Inc.	Coal Mining
Four Star Resources LLC	Coal Mining/Leases
Frontier Coal Company	Coal Mining
Gilbert Mine, Inc.	Coal Mining
Glade Acquisitions, LLC	Holding Company/Owns GSR, LLC
Glade Springs Real Estate Company L.L.C.	Real Estate Sales
Grain Development, Inc.	Land Holding Company
Grandview Investment Company	Holding Company/Land Holdings
Greenbrier Golf and Tennis Club Corporation	Food Services and Drinking Place (Alcoholic Beverages)
Greenbrier Hotel Corporation	Hotel/Casino/Golf/Leisure & Entertainment Resort
Greenbrier Medical Institute, LLC	Admin/Support Waste Mgt/Remediation services
Greenbrier Sporting Club Development, Inc.	Real Estate Development
Greenthorn, LLC	Coal Mining/Leases
Infinity Energy, Inc.	Coal Mining/Leases
James C. Justice Companies, Inc.	Holding Company
James C. Justice Companies, LLC	Holding Company
James River Construction Company	Excavation Company
JCI Coal Group LLC	Holding Company
Justice Aviation, LLC	Inactive
Justice Coal Corporation	Inactive
Justice Coal of Alabama, LLC	Coal Mining/Leases
Justice Coal Sales Corporation	Inactive
Justice Energy Company, Inc.	Coal Mining/Leases
Justice Family Farms, LLC	Agriculture/Crop Production and Sales
Justice Family Group, LLC	Holding Company/Greenbrier Related Companies
Justice Family Racing, LLC	Horse Ownership and Racing
Justice Highwall Mining, Inc.	Coal Mining/Leases
Justice Holdings LLC	Real Estate Holding Company
Justice Low Seam Mining, Inc.	Coal Mining/Leases
Kentucky Coal Transport, LLC	Owns/Leases On and Off Road Trucks for Mining and Agriculture
Kentucky Fuel Corporation	Coal Mining/Leases
Keystone Service Industries, Inc.	Coal Mining Support Services Company
Kirby Land Company, Inc.	Land Holdings/Surface and Underground Minerals
Liggett Mining, LLC	Coal Mining/Leases
M & P Services Inc.	Coal Mining Support Services Company
Mechel Bluestone Inc. (NKA Bluestone Mineral, Inc.)	Coal Mining/Leases
Mechel North America Sales Corporation	Coal Sales
Meg-Lynn Land Company, Inc.	Coal Mining/Leases
Midelburg Property, LLC	Land Holding Company
Midtown Investments, LLC	Land Holding Company
Monroe Properties, Inc.	Land Holding Company
National Coal, LLC	Coal Mining/Leases
National Resources, Inc.	Coal Mining/Leases
Nine Mile Mining, Inc.	Coal Mining/Leases
NUFAC Mining Company, Inc	Coal Mining/Leases
Oakhurst Club, LLC	Golf Resort Real Estate Development
Old White Club Corporation	Holds WV Liquor License
Orchard Coal Company	Coal Mining/Leases
Pay Car Mining, Inc.	Coal Mining/Leases

Players Club, LLC	Inactive
Premium Coal Company, Incorporated	Coal Mining/Leases
Ranger Coal Holdings, LLC	Holding Company/Owns National Coal, LLC
Ranger Energy Group, LLC	Inactive
Ranger Energy Investments, LLC	Holding Company/Owns Ranger Coal Holdings, LLC
Ranger Investments, LLC	Personal Investments/James C. Justice, II and III
Rapidan, LLC	Inactive
S and H Mining Inc.	Coal Mining/Leases
Saddlebred, LLC	Holding Company/DBA Brier Patch Golf Links
SC Underground Mining, Inc.	Inactive
Second Sterling Corp.	Coal Mining/Leases
Sequoia Energy, LLC	Coal Mining/Leases
Southeast Cotton, Inc.	Agriculture/Crop Production and Sales
Southeast Elevators, Inc.	Support activities for Crops/Harvest
Southern Coal Corporation	Holding Company - Mining Operations
Southern Coal Sales Corporation	Coal Sales
Southern Minerals, LLC	Owns/Manages Mineral Rights
Southern Surface Mining, Inc.	Inactive
Stretcher Neck Properties, Limited Liability Company	Land Holding Company
SUMO, L.L.C.	Agriculture/Crop Production and Sales
The Chesapeake and Ohio Traveler, Inc.	Holding Company for various Greenbrier Companies
The Greenbrier Clinic, Inc.	Health Care Services
The Old White Development Company	Inactive
Virginia Fuel Corporation	Coal Mining/Leases
West Virginia Timber, LLC	Land Holding Company
Wilcox Industries Inc.	Land Holdings/Surface and Underground Minerals

Name: James C.

Justice, II

Return completed form to:
ellen.m.briggs@wv.gov
 WV Ethics Commission
 210 Brooks Street, Suite 300
 Charleston, WV 25301



Candidate information, if applicable

County: _____

Candidate for: _____

Date you filed for candidacy: _____

District or circuit, if applicable: _____

West Virginia Ethics Commission Financial Disclosure Statement

Revised: 12-9-16

Directions

- Please read and answer **every question**—even if your answer is “N/A” (not applicable). Incomplete original Statements will be returned to you for completion or correction.
- You must file a new Financial Disclosure Statement each year you hold or run for a public position.
- If this is your annual filing, the Statement is due by February 1.
- If you are a new appointee, this Statement is due within 30 days of the date of your appointment.
- If you are a candidate for public office, this Statement is due within 10 days of filing your *Certificate of Announcement*.
- The information you provide on this Statement covers the prior calendar year.
- You may attach additional pages to this form if necessary.

1. Name of Filer and Spouse

Filer's last name Justice, IIFirst name James C.Spouse's last name JusticeFirst name Cathy L.County of residence GreenbrierBusiness (employment) address State CapitolCity/state/zip Charleston, WV 25305

2. Elective Office

Do you currently hold a county, circuit or state elected office? Yes ☒ No ☐If yes, title of office: GovernorAre you a candidate, or do you plan to become a candidate for public office in the next election? N/A ☒ Yes ☐ No ☐

If yes, for what office: _____ Date you filed for candidacy: _____

3. Positions on State Boards, Commissions or Agencies

List all State Boards, Commissions or Agencies on which you now serve or have served in the past 12 months through appointment by the Governor. ☐ Mark here if N/A

Name: James C.

Justice, II

4. Business Names

List all names under which you and/or your spouse conduct or do business. If you or your spouse are self-employed, list the name or names under which you or your spouse conducts the business, trade, sole proprietorship or profession.

☐ Mark here if no business names to report

self ☒ spouse ☐

see attached listing

self ☐ spouse ☒

Comer Electric, Inc. (inactive)

self ☐ spouse ☐

5. Employment

For you and your spouse, list the name and address of each full-time or part-time employer(s) during the preceding calendar year. Include all employment with city, county or state government as well as employment in the private sector. Provide your job title and a general description of your job duties. For purposes of this question, an employer is one who provides you with a W-2 form. This does not include self-employment if listed elsewhere on the Financial Disclosure Statement.

☐ Mark here if neither you nor your spouse were employed during the past year.

	Employer Name and Address	Job title and duties of your position
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	1.State of WV State Capitol, Charleston, WV 25305	Governor
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	2. Greenbrier County Schools P O Box 987 Lewisburg, WV 24901	Head Boys and Girls Basketball Coach
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	3. Greenbrier Hotel Corporation 300 West Main Street, WSS, WV 24986	Operations Advisor
self <input type="checkbox"/> spouse <input type="checkbox"/>	4.	

6. 20% Gross Income Categories for you and your spouse

Did you or your spouse receive more than 20% of your gross income during the past calendar year from any one or more of the categories listed below? Yes ☒ No ☐ If yes, mark with an 'X' all categories that apply to you and/or your spouse.

self	spouse	self	spouse	self	spouse
COMPANIES		MINING		GOVERNMENT	
<input type="checkbox"/>	<input type="checkbox"/> Advertising	<input type="checkbox"/>	<input type="checkbox"/> Surface mining	<input type="checkbox"/>	<input type="checkbox"/> City or town
<input type="checkbox"/>	<input type="checkbox"/> Beer, wine or liquor (or distributor)	<input type="checkbox"/>	<input type="checkbox"/> Mining equipment	<input type="checkbox"/>	<input type="checkbox"/> County
<input type="checkbox"/>	<input type="checkbox"/> Brokerage/Financial Advisor	<input type="checkbox"/>	<input type="checkbox"/> Deep mining	<input type="checkbox"/>	<input type="checkbox"/> State
<input type="checkbox"/>	<input type="checkbox"/> Cable television	OIL OR GAS		ASSOCIATIONS OR ORGANIZATIONS	
<input type="checkbox"/>	<input type="checkbox"/> Chemical	<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input type="checkbox"/> Labor Association/Organization
<input type="checkbox"/>	<input type="checkbox"/> Construction	<input type="checkbox"/>	<input type="checkbox"/> Wholesale	<input type="checkbox"/>	<input type="checkbox"/> Professional Association
<input type="checkbox"/>	<input type="checkbox"/> Insurance	<input type="checkbox"/>	<input type="checkbox"/> Exploration	<input type="checkbox"/>	<input type="checkbox"/> Association that promotes gaming or lottery
<input type="checkbox"/>	<input type="checkbox"/> Interstate transportation	<input type="checkbox"/>	<input type="checkbox"/> Production & Drilling	<input type="checkbox"/>	<input type="checkbox"/> Association of public employees or public officials
<input type="checkbox"/>	<input type="checkbox"/> Intrastate transportation	UTILITIES		<input type="checkbox"/>	<input type="checkbox"/> Trade Association or Organization
<input type="checkbox"/>	<input type="checkbox"/> Manufacturing	<input type="checkbox"/>	<input type="checkbox"/> Electric	OTHER	
<input type="checkbox"/>	<input type="checkbox"/> Media	<input type="checkbox"/>	<input type="checkbox"/> Gas	<input type="checkbox"/>	<input type="checkbox"/> Economic Development
<input type="checkbox"/>	<input type="checkbox"/> Promotional	<input type="checkbox"/>	<input type="checkbox"/> Telephone	<input type="checkbox"/>	<input type="checkbox"/> Hospitals or other health care providers
<input type="checkbox"/>	<input type="checkbox"/> Race tracks	<input type="checkbox"/>	<input type="checkbox"/> Water	<input type="checkbox"/>	<input type="checkbox"/> Information Technology
<input type="checkbox"/>	<input type="checkbox"/> Recreation	FINANCIAL		<input type="checkbox"/>	<input type="checkbox"/> Legal service providers
<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input checked="" type="checkbox"/> Banks, Savings & Loan Assoc.	<input type="checkbox"/>	<input type="checkbox"/> Lobbying
<input type="checkbox"/>	<input type="checkbox"/> Timber	<input type="checkbox"/>	<input type="checkbox"/> Loan or Finance Companies		
<input type="checkbox"/>	<input type="checkbox"/> Wholesale				
<input type="checkbox"/>	<input type="checkbox"/> Waste disposal				

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 7-For Profit Business	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
A & G Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Alway Resources, LLC	302 South Jefferson Street, Roanoke, VA 24011
American Turf Grass Corporation	P O Box 2178, Beaver, WV 25813-2178
Baden Reclamation Company	302 South Jefferson Street, Roanoke, VA 24011
Bardo Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
Beckley Little League, Inc.	P O Box 2178, Beaver, WV 25813-2178
Beech Creek Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bellwood Corporation	P O Box 2178, Beaver, WV 25813-2178
BKCC L.L.C.	P O Box 2178, Beaver, WV 25813-2178
Black River Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
Blueridge Farm Center, Inc.	P O Box 2178, Beaver, WV 25813-2178
Bluestone Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Energy Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Equipment Management, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Mineral, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Oil Corp.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Resources Inc.	302 South Jefferson Street, Roanoke, VA 24011
Cane Patch Mining Co., Inc.	302 South Jefferson Street, Roanoke, VA 24011
Chestnut Land Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Coaltax, Inc.	P O Box 2178, Beaver, WV 25813-2178
Cumberland Valley Contractors, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Double-Bonus Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Dublin Properties, L.C.	P O Box 2178, Beaver, WV 25813-2178
Dynamic Energy Inc	302 South Jefferson Street, Roanoke, VA 24011
Energy Plus, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Equipment Support Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Far and Sure L. P.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Four Star Resources LLC	302 South Jefferson Street, Roanoke, VA 24011
Frontier Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Gilbert Mine, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Glade Acquisitions, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Glade Springs Real Estate Company L.L.C.	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Grain Development, Inc.	P O Box 2178, Beaver, WV 25813-2178
Grandview Investment Company	P O Box 2178, Beaver, WV 25813-2178
Greenbrier Care, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Clinic Surgery Center, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Golf and Tennis Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Hotel Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
GREENBRIER IA, INC.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Medical Institute, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenthorn, LLC	302 South Jefferson Street, Roanoke, VA 24011
GSR LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Infinity Energy, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, Inc.	P O Box 2178, Beaver, WV 25813-2178
James C. Justice Companies, LLC	P O Box 2178, Beaver, WV 25813-2178
James River Construction Company	302 South Jefferson Street, Roanoke, VA 24011
JCJ Coal Group LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Aviation, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Coal of Alabama, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Energy Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Farms, LLC	P O Box 2178, Beaver, WV 25813-2178
Justice Family Foundation, Inc.	P O Box 2178, Beaver, WV 25813-2178
Justice Family Group, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Justice Family Racing, LLC	P O Box 2178, Beaver, WV 25813-2178
Justice Highwall Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Holdings LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Justice Low Seam Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Management Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Coal Transport, LLC	302 South Jefferson Street, Roanoke, VA 24011

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
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Entity Name	Entity Address
Kentucky Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Keystone Service Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Kirby Land Company, Inc.	P O Box 2178, Beaver, WV 25813-2178
Liggett Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
M & P Services Inc.	302 South Jefferson Street, Roanoke, VA 24011
Machinery Services and Support, LLC	302 South Jefferson Street, Roanoke, VA 24011
Mechel North America Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Meg-Lynn Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Middelburg Property, LLC	P O Box 2178, Beaver, WV 25813-2178
Midtown Investments, LLC	P O Box 2178, Beaver, WV 25813-2178
Mine Support Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Monroe Properties, Inc.	P O Box 2178, Beaver, WV 25813-2178
Mountain State Coal Classic, Inc.	P O Box 2178, Beaver, WV 25813-2178
National Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
National Resources, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nine Mile Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
NUFAC Mining Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Oakhurst Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Charities, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Orchard Coal Company	P O Box 2178, Beaver, WV 25813-2178
Pay Car Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Players Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Premium Coal Company, Incorporated	302 South Jefferson Street, Roanoke, VA 24011
Ranger Coal Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Group, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Raplan, LLC	P O Box 2178, Beaver, WV 25813-2178
S and H Mining Inc.	302 South Jefferson Street, Roanoke, VA 24011
Saddlebred, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
SCC Coal Augering, LLC	302 South Jefferson Street, Roanoke, VA 24011
Second Sterling Corp.	302 South Jefferson Street, Roanoke, VA 24011
Sequoia Energy, LLC	302 South Jefferson Street, Roanoke, VA 24011
Southeast Cotton, Inc.	P O Box 2178, Beaver, WV 25813-2178
Southeast Elevators, Inc.	P O Box 2178, Beaver, WV 25813-2178
Southern Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Minerals, LLC	302 South Jefferson Street, Roanoke, VA 24011
Stretcher Neck Properties, Limited Liability Company	P O Box 2178, Beaver, WV 25813-2178
SUMO, L.L.C.	P O Box 2178, Beaver, WV 25813-2178
The Chesapeake and Ohio Traveler, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Clinic, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Resort and Club Management Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club Development Company, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Old White Development Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Triple J, LLC	P O Box 2178, Beaver, WV 25813-2178
Twin Fir Estates, LLC	P O Box 2178, Beaver, WV 25813-2178
Virginia Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Virginia Maintenance and Rebuilding Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Wilcox Industries Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Hospitality Partners, LLC	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Partners, Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Resort Premier Properties, LLC	P O Box 2178, Beaver, WV 25813-2178
WV Timber, LLC	P O Box 2178, Beaver, WV 25813-2178

West Virginia Ethics Commission

Financial Disclosure Statement

James C. Justice, II

Question 6

20% Gross Income Catagories

"Self" Hospitality

Name: James C.

Justice, II

7. For-Profit Business

List the name and address of each for-profit business on which either you or your spouse serves on the Board of Directors or as an officer. Describe the type of business.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a for-profit business.

Name and address of the business	Description of the business
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	
See attached listing	
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	
Comer Electric, Inc., P O Box 2178 Beaver, WV 25813	Electrical Contractor (inactive)
self <input type="checkbox"/> spouse <input type="checkbox"/>	

8. Non-Profit Organization

List the name and address of each non-profit organization on which either you or your spouse serves on the Board of Directors or as an officer. Describe the non-profit organization.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a non-profit organization.

Name and address of the organization	Description of the non-profit
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> Beckley Little League, Inc. P O Box 2178, Beaver, WV 25813-2178	Chartered Little League Program
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/> Old White Charities, Inc. 300 West Main Street, WSS, WV 24986	Operates a PGA Licensed Charity Golf Tournament
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> The Big Atlantic Classic P O Box 2178, Beaver, WV 25813-2178	Charity Basketball Tournament

9. Sales or Contracts with State, County or Local Government

During the past calendar year, did you or your spouse have any sales or contracts with any unit of state, county or local government? Yes ☒ No ☐ (Sales or contracts for goods or services may be either direct or through a partnership, corporation or association in which either you or your spouse owned or controlled more than 10 percent.)

If yes, identify the government agency that purchased the goods or services, and describe the nature of the goods or services. (See the instruction sheet for more information about the Ethics Act's prohibition against having an interest in a public contract under W. Va. Code § 6B-2-5(d).)

Name of Government organization	Description of goods or services provided
self spouse <input checked="" type="checkbox"/> Example: State of WV DHHR	Foster home placement studies
self <input checked="" type="checkbox"/> spouse Example: Clay County Sheriff's Department	Rental of garage space for patrol cars
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> See attached listing	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

10. Adult Children – Public Employment

List the name and business address of any adult child or step-child employed by any unit of state, county or local government.

☒ Mark here if this question does not apply to you.

Name of child or step-child	Business address

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James C. Justice, II	
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Entity Name	Entity Address
A & G Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Airway Resources, LLC	302 South Jefferson Street, Roanoke, VA 24011
American Turf Grass Corporation	P O Box 2178, Beaver, WV 25813-2178
Baden Reclamation Company	302 South Jefferson Street, Roanoke, VA 24011
Bardo Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
Beckley Little League, Inc.	P O Box 2178, Beaver, WV 25813-2178
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Bellwood Corporation	P O Box 2178, Beaver, WV 25813-2178
BKCC L.L.C.	P O Box 2178, Beaver, WV 25813-2178
Black River Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
Blueridge Farm Center, Inc.	P O Box 2178, Beaver, WV 25813-2178
Bluestone Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Energy Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Equipment Management, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Mineral, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Oil Corp.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Resources Inc.	302 South Jefferson Street, Roanoke, VA 24011
Cane Patch Mining Co., Inc.	302 South Jefferson Street, Roanoke, VA 24011
Chestnut Land Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Coaltex, Inc.	P O Box 2178, Beaver, WV 25813-2178
Cumberland Valley Contractors, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Double-Bonus Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Dublin Properties, L.C.	P O Box 2178, Beaver, WV 25813-2178
Dynamic Energy Inc	302 South Jefferson Street, Roanoke, VA 24011
Energy Plus, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Equipment Support Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Far and Sure L. P.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
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Frontier Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Gilbert Mine, Inc.	302 South Jefferson Street, Roanoke, VA 24011
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Glade Springs Real Estate Company L.L.C.	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Grain Development, Inc.	P O Box 2178, Beaver, WV 25813-2178
Grandview Investment Company	P O Box 2178, Beaver, WV 25813-2178
Greenbrier Care, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Clinic Surgery Center, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Golf and Tennis Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Hotel Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
GREENBRIER IA, INC.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Medical Institute, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenthorn, LLC	302 South Jefferson Street, Roanoke, VA 24011
GSR LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Infinity Energy, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, Inc.	P O Box 2178, Beaver, WV 25813-2178
James C. Justice Companies, LLC	P O Box 2178, Beaver, WV 25813-2178
James River Construction Company	302 South Jefferson Street, Roanoke, VA 24011
JCJ Coal Group LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Aviation, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Coal of Alabama, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Energy Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Farms, LLC	P O Box 2178, Beaver, WV 25813-2178
Justice Family Foundation, Inc.	P O Box 2178, Beaver, WV 25813-2178
Justice Family Group, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Justice Family Racing, LLC	P O Box 2178, Beaver, WV 25813-2178
Justice Highwall Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Holdings LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Justice Low Seam Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Management Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Coal Transport, LLC	302 South Jefferson Street, Roanoke, VA 24011

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
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Entity Name	Entity Address
Kentucky Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Keystone Service Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Kirby Land Company, Inc.	P O Box 2178, Beaver, WV 25813-2178
Liggett Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
M & P Services Inc.	302 South Jefferson Street, Roanoke, VA 24011
Machinery Services and Support, LLC	302 South Jefferson Street, Roanoke, VA 24011
Mechel North America Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Meg-Lynn Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Mideburg Property, LLC	P O Box 2178, Beaver, WV 25813-2178
Midtown Investments, LLC	P O Box 2178, Beaver, WV 25813-2178
Mine Support Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Monroe Properties, Inc.	P O Box 2178, Beaver, WV 25813-2178
Mountain State Coal Classic, Inc.	P O Box 2178, Beaver, WV 25813-2178
National Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
National Resources, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nine Mile Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
NUFAC Mining Company, Inc	302 South Jefferson Street, Roanoke, VA 24011
Oakhurst Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Charities, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Orchard Coal Company	P O Box 2178, Beaver, WV 25813-2178
Pay Car Mining, inc.	302 South Jefferson Street, Roanoke, VA 24011
Players Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Premium Coal Company, Incorporated	302 South Jefferson Street, Roanoke, VA 24011
Ranger Coal Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Group, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Rapidan, LLC	P O Box 2178, Beaver, WV 25813-2178
S and H Mining Inc.	302 South Jefferson Street, Roanoke, VA 24011
Saddlebred, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
SCC Coal Augering, LLC	302 South Jefferson Street, Roanoke, VA 24011
Second Sterling Corp.	302 South Jefferson Street, Roanoke, VA 24011
Sequoia Energy, LLC	302 South Jefferson Street, Roanoke, VA 24011
Southeast Cotton, Inc.	P O Box 2178, Beaver, WV 25813-2178
Southeast Elevators, Inc.	P O Box 2178, Beaver, WV 25813-2178
Southern Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Minerals, LLC	302 South Jefferson Street, Roanoke, VA 24011
Stretcher Neck Properties, Limited Liability Company	P O Box 2178, Beaver, WV 25813-2178
SUMO, L.L.C.	P O Box 2178, Beaver, WV 25813-2178
The Chesapeake and Ohio Traveler, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Clinic, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Resort and Club Management Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club Development Company, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Old White Development Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Triple J, LLC	P O Box 2178, Beaver, WV 25813-2178
Twin Fir Estates, LLC	P O Box 2178, Beaver, WV 25813-2178
Virginia Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Virginia Maintenance and Rebuilding Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Wilcox Industries Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Hospitality Partners, LLC	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Partners, Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Resort Premier Properties, LLC	P O Box 2178, Beaver, WV 25813-2178
WV Timber, LLC	P O Box 2178, Beaver, WV 25813-2178

WV Ethics Commission Financial Disclosure Statement		
James C. Justice, II		
Question 9-Sales or Contracts with Government Agencies		
All Listed Fall into "Self" Category		
Account Name	Justice Related Entity	Service Provided
Buffalo Elementary School	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
City of Charleston	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
Governors Highway Safety Program	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
West Virginia Department of Military Affairs and Public Safe	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
West Virginia Dept of Transportation-Division of Highways	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
West Virginia Division of Corrections	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
West Virginia Division of Justice and Community Service	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
West Virginia Division of Rehabilitation Services	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
West Virginia Massage Therapy Licensure Board	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
West Virginia State Treasurer's Office	Glade Springs Resort	Meeting Facilities, Food & Beverage and/or Lodging
WV State Women's Tennis	The Greenbrier	Meeting Facilities, Food & Beverage and/or Lodging
WVU Gold & Blue Spring Game Coaches	The Greenbrier	Meeting Facilities, Food & Beverage and/or Lodging
Marshall Univ Dep of Orthopaedic Surgery	The Greenbrier	Meeting Facilities, Food & Beverage and/or Lodging
WV School of Osteopathic Medicine	The Greenbrier	Meeting Facilities, Food & Beverage and/or Lodging

Name: James C. Justice, II**11. DEBTS**

A. Owed to others: List the names of all persons residing or transacting business in the state who you owe more than \$5,000 (in the aggregate) on the date of this Statement. Include debts you owe in the name of any other person and debts on which you are a cosigner.

You **DO NOT** have to report:

1. Debts to immediate family members, parents or grandparents
2. Home mortgages for your primary and secondary residences
3. Loans for autos maintained for the use of your immediate family
4. Student loans
5. Debts resulting from the ordinary conduct of your business, profession or occupation
6. Debts to a financial institution or to a credit card company

If any debt over \$5,000, which is otherwise non-reportable, required the approval of the state or any of its political subdivisions, or if a loan was obtained from the "Linked Deposit Program" (W. Va. Code § 12-1A-1 et seq.), you must list the debt.

☒ Mark here if you owe no debts as described above.

B. Owed to you: List the names of all persons residing or transacting business in the state who owe you, in the aggregate, more than \$5,000 on the date of this Statement (either in your name or any other person's name for your use or benefit.)

You **DO NOT** have to report:

1. Debts from immediate family members, parents or grandparents
2. Debts resulting from the ordinary conduct of your business, profession or occupation
3. Demand or saving accounts in banks, savings and loan associations, or other similar depositories
4. Loans by you to any business in which you have an ownership interest

☐ Mark here if you had no debts owed to you as described above.

Charles S. Morton

Steven and Holly Gillespie

12. GIFTS

A gift is anything with monetary value, including meals and beverages. If you, your spouse, and/or any of your dependents received one or more gifts whose total value is more than \$100 from a person, business or organization which has a direct and immediate interest in a governmental activity over which you have control, then list the name of each giver UNLESS it falls into one of the exceptions listed below. "Total value" includes the cumulative fair market value of all gifts from the same source, directly or indirectly, during the previous calendar year.

Gifts from the following sources need **NOT** be reported:

1. your spouse, child, grandchild, parents or grandparents
2. a trust established by your spouse, child, grandchild or ancestor
3. a will or lawful inheritance in the absence of a will
4. a registered lobbyist (*registered lobbyists report these expenditures on the Lobbyist Schedule A form with their Lobbyist Activity Reporting forms*)

☒ Mark here if you received no gifts as described above.

Name: James C. Justice, II**This page applies to questions 13 and 14 on the next page.**

**** If you are an elected official, candidate or state or higher education employee, you do not need to complete Worksheet A. You must, however, answer questions 13 and 14 about you and your spouse.**

**** All other filers:** If you have been appointed to serve on a State Board, Commission or Agency by the Governor and receive no compensation for your service, you may not be required to report certain financial information about your spouse. Complete Worksheet A to determine if this spousal exemption applies. You still must report your own income and business information in questions 13 and 14.

Worksheet A (for questions 13 and 14)

Part 1. Are you a State Board, Commission or Agency member appointed by the Governor?

YES ☐ Continue to Part 2.

NO ☐ **DO NOT** complete parts 2 or 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

Part 2. Do you hold another office or employment position that requires you to file this Financial Disclosure Statement?

YES ☐ **DO NOT** complete part 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

NO ☐ Continue to Part 3.

Part 3. Complete this section to determine if you are exempt from disclosing certain financial information about your spouse in questions 13 and 14 on the next page.

List the name of the State Board, Commission or Agency of which you are an appointed member:
Board name: _____

Check each box that applies:

1. ☐ There is no compensation, per diem, salary or other payment authorized by state law for serving on this Board or Commission. (Excluding travel or expense reimbursement) Note: The test is not whether you decline compensation but whether it is authorized by code, statute or law.
2. ☐ Neither my spouse nor a business with which he or she is associated is regulated by the State Board, Commission or Agency on which I serve by appointment. ("Associated" is defined as a business in which your spouse, or his or her immediate family member, is a director, officer, owner, employee, compensated agent or holder of stock which constitutes five percent or more of the total outstanding stocks of any class. "Immediate family member" means dependent children, grandchildren or parents.)
3. ☐ Neither my spouse nor a business with which he or she is associated has a contract with, or receives any grants or appropriations from, the State Board, Commission or Agency on which I (the filer) serve.

➔ If you have checked all three boxes in Part 3 above, then answer questions 13 and 14 on the next page as they pertain only to you.

➔ If you did not check all three boxes in Part 3, you must answer questions 13 and 14 in their entirety as they pertain to both you and your spouse.

Name: James C.

Justice, II

13. ALL sources of income over \$1,000 including employment - (To determine if you must disclose income information about your spouse, refer to Worksheet A)

- List every source or category of income or employment over \$1,000 received by you and/or your spouse during the preceding calendar year in your name, or by any other person for your use or benefit. Include employment even if listed elsewhere on this Statement.
- Include distributions received from retirement and pension accounts.
- Do not list specific names of clients or customers. For example, if you are a lawyer or an insurance agent, do not list the names of your clients.
- Do not disclose actual dollar amounts of income, only the source.

Indicate if the income was received by you or your spouse by marking the appropriate box in the chart below.

Categories of income over \$1,000		Description (or job title)
self <input checked="" type="checkbox"/> spouse	Example: Social Security	U.S. Government
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Sold real estate	Sold residence in Beckley
self <input checked="" type="checkbox"/> spouse	Example: Farming/timber	Sold timber from my farm
self spouse <input checked="" type="checkbox"/>	Example: Employment	Teacher, Mingo County schools
self <input type="checkbox"/> spouse <input type="checkbox"/>	Employment	Greenbrier Hotel Corporation
self <input type="checkbox"/> spouse <input type="checkbox"/>	Employment	Coach-Greenbrier County Schools
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Bank Director Fees	First National Bank-Ronceverte, WV
self <input type="checkbox"/> spouse <input type="checkbox"/>	Interest on CD's	Commercial bank
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Dividends	Publicly traded investments
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Stock sales	Publicly traded investments

14. Business and/or Property Interests - (To determine if you must disclose business or property interests of your spouse, refer to Worksheet A)

List the name and address of each business in which, during the past calendar year, you or your spouse held an interest with a fair market value of \$10,000 or more including, but not limited to: non-publicly owned businesses, publicly or privately traded stocks, bonds or securities, including those held in self-directed retirement accounts, and commercial real estate. (For purposes of this question, DO NOT include mutual funds or specific holdings in mutual funds or retirement accounts. However, distributions from retirement accounts must be reported in question 13 if they are greater than over \$1,000 annually.) Attach additional sheets if necessary.

☐ Mark here if neither you nor your spouse had any interest in a business or real estate as described above.

self spouse <input checked="" type="checkbox"/>	Example: Jones Coal Hauling, 123 Main Street, Placeville WV
self <input checked="" type="checkbox"/> spouse	Example: Stonefront Apartment Building, 123 Main Street, Charleston WV 25312
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Acme Bank Stock, 788 Water Street, Cincinnati OH 34343
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	
see attached listing	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

Rev: 12-9-16

WV ETHICS COMMISSION		
FINANCIAL DISCLOSURE STATEMENT		
JAMES C. JUSTICE, II		
QUESTION 14-BUSINESS AND/OR PROPERTY INTERESTS		
(HOLDINGS WITHIN THE PAST YEAR-EXCLUDING MUTUAL FUNDS AND RETIREMENT ACCOUNTS)		
SEE ATTACHED LISTING OF PRIVATELY HELD BUSINESSES		
PUBLICLY TRADED SECURITIES:		
FEDERATED TAX FREE OBLIGATIONS MONEY MARKET	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
KANAWHA PUTNAM SINGLE FAMILY MORTGAGE BOND	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WV STATE GO REF BONDS	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
APPLIED MATERIALS	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
MICROSOFT	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BANK OF AMERICA	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BERKSHIRE HATHAWAY CLASS A	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BERKSHIRE HATHAWAY CLASS B	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
FIRST NATIONAL BANKSHARES CORPORATION	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
STATE STREET CORP	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
CATERPILLAR	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
GENERAL ELECTRIC	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
ABBOTT LABORATORIES	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
ABBVIE, INC. COM	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BRISTOL MYERS SQUIBB	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
JOHNSON & JOHNSON	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
MERCK & CO.	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
HERSHEY CO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
PEPSICO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
PROCTOR & GAMBLE	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WAL-MART	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
AXIAL CORP	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
EXXON MOBIL	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
TEXCON INC	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WALTER ENERGY	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
FORD MOTOR CO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WALT DISNEY CO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
CHEMOURS CO	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
DUPONT	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
PPG INDUSTRIES	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
U S STEEL CORP	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
GOOGLE CLASS A	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
GOOGLE CLASS B	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
CENTURYLINK	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
WALTER INVESTMENT MANAGEMENT CORP REIT	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
BP, PLC	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
ALLEGION PUB, LTD	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
INGERSOLL RAND	SELF	C/O FIRST CENTURY BANK, FINANCIAL SERVICES GROUP, BLUEFIELD, WV
APPLE, INC. NOTES	SELF	C/O EFG BANK, CAYMAN ISLANDS
BHP BILLITON NOTES	SELF	C/O EFG BANK, CAYMAN ISLANDS
MACQUARIE GROUP NOTES	SELF	C/O EFG BANK, CAYMAN ISLANDS
MORGAN STANLEY NOTES	SELF	C/O EFG BANK, CAYMAN ISLANDS
RIO TINTO FINANCE NOTES	SELF	C/O EFG BANK, CAYMAN ISLANDS
UNITED MEXICAN STATES MEDIUM TERM NOTES	SELF	C/O EFG BANK, CAYMAN ISLANDS
QUALCOMM NOTES	SELF	C/O EFG BANK, CAYMAN ISLANDS
APPLE	SPOUSE	C/O SCOTTRADE
AMERICAN CAPITAL, LTD	SPOUSE	C/O SCOTTRADE
AMAZON.COM	SPOUSE	C/O SCOTTRADE
BP, PLC	SPOUSE	C/O SCOTTRADE
DRYSHIPS, INC.	SPOUSE	C/O SCOTTRADE
FORD MOTOR CO	SPOUSE	C/O SCOTTRADE
MICROSOFT	SPOUSE	C/O SCOTTRADE
NETFLIX	SPOUSE	C/O SCOTTRADE
YUM BRANDS	SPOUSE	C/O SCOTTRADE
MONSTER BEVERAGE CORP	SPOUSE	C/O SCOTTRADE
WEST VIRGINIA MEDIA PARTNERS	SELF	350 QUARRIER ST, CHARLESTON, WV 25301
NEXEON MEDSYSTEMS (CELONOVA)	SELF	1500 BULL LEA ROAD, LEXINGTON, KY 40511
COMPRESSUS	SELF	101 CONSTITUTION AVENUE, NW, WASHINGTON, DC 20001
MECHEL, OAO PREFERRED	SELF	C/O GOLDMAN SACHS
PREMIER BANK, INC.	SELF	2883 5TH AVENUE, HUNTINGTON, WV 25702
PREMIER BANK, INC.	SPOUSE	2883 5TH AVENUE, HUNTINGTON, WV 25702
MORGANTOWN INDUSTRIAL PARK ASSOCIATES, LP	SELF	P O BOX 1138, SHEPHERDSVILLE, KY 40165
ALLEGHENY CREATIVE ENERGY SOLUTIONS, INC.	SELF	191 S. KEIM ST., SUITE 110, POTTSTOWN, PA 19464

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 7-For Profit Business	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
A & G Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Airway Resources, LLC	302 South Jefferson Street, Roanoke, VA 24011
American Turf Grass Corporation	P O Box 2178, Beaver, WV 25813-2178
Baden Reclamation Company	302 South Jefferson Street, Roanoke, VA 24011
Bardo Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
Beckley Little League, Inc.	P O Box 2178, Beaver, WV 25813-2178
Beech Creek Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bellwood Corporation	P O Box 2178, Beaver, WV 25813-2178
BKCC L.L.C.	P O Box 2178, Beaver, WV 25813-2178
Black River Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
Blueridge Farm Center, Inc.	P O Box 2178, Beaver, WV 25813-2178
Bluestone Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Energy Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Equipment Management, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Mineral, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Oil Corp.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Resources Inc.	302 South Jefferson Street, Roanoke, VA 24011
Cane Patch Mining Co., Inc.	302 South Jefferson Street, Roanoke, VA 24011
Chestnut Land Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Coaltex, Inc.	P O Box 2178, Beaver, WV 25813-2178
Cumberland Valley Contractors, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Double-Bonus Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Dublin Properties, L.C.	P O Box 2178, Beaver, WV 25813-2178
Dynamic Energy Inc	302 South Jefferson Street, Roanoke, VA 24011
Energy Plus, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Equipment Support Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Far and Sure L. P.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Four Star Resources LLC	302 South Jefferson Street, Roanoke, VA 24011
Frontier Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Gilbert Mine, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Glade Acquisitions, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Glade Springs Real Estate Company L.L.C.	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Grain Development, Inc.	P O Box 2178, Beaver, WV 25813-2178
Grandview Investment Company	P O Box 2178, Beaver, WV 25813-2178
Greenbrier Care, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Clinic Surgery Center, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Golf and Tennis Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Hotel Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
GREENBRIER IA, INC.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Medical Institute, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenthorn, LLC	302 South Jefferson Street, Roanoke, VA 24011
GSR LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Infinity Energy, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, Inc.	P O Box 2178, Beaver, WV 25813-2178
James C. Justice Companies, LLC	P O Box 2178, Beaver, WV 25813-2178
James River Construction Company	302 South Jefferson Street, Roanoke, VA 24011
JCI Coal Group LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Aviation, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Coal of Alabama, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Energy Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Farms, LLC	P O Box 2178, Beaver, WV 25813-2178
Justice Family Foundation, Inc.	P O Box 2178, Beaver, WV 25813-2178
Justice Family Group, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Justice Family Racing, LLC	P O Box 2178, Beaver, WV 25813-2178
Justice Highwall Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Holdings LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Justice Low Seam Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Management Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Coal Transport, LLC	302 South Jefferson Street, Roanoke, VA 24011

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 7-For Profit Business	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
Kentucky Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Keystone Service Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Kirby Land Company, Inc.	P O Box 2178, Beaver, WV 25813-2178
Liggett Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
M & P Services Inc.	302 South Jefferson Street, Roanoke, VA 24011
Machinery Services and Support, LLC	302 South Jefferson Street, Roanoke, VA 24011
Mechel North America Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Meg-Lynn Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Midelburg Property, LLC	P O Box 2178, Beaver, WV 25813-2178
Midtown Investments, LLC	P O Box 2178, Beaver, WV 25813-2178
Mine Support Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Monroe Properties, Inc.	P O Box 2178, Beaver, WV 25813-2178
Mountain State Coal Classic, Inc.	P O Box 2178, Beaver, WV 25813-2178
National Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
National Resources, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nine Mile Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
NUFAC Mining Company, Inc	302 South Jefferson Street, Roanoke, VA 24011
Oakhurst Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Charities, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Orchard Coal Company	P O Box 2178, Beaver, WV 25813-2178
Pay Car Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Players Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Premium Coal Company, Incorporated	302 South Jefferson Street, Roanoke, VA 24011
Ranger Coal Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Group, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Rapidan, LLC	P O Box 2178, Beaver, WV 25813-2178
S and H Mining Inc.	302 South Jefferson Street, Roanoke, VA 24011
Saddlebred, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
SCC Coal Augering, LLC	302 South Jefferson Street, Roanoke, VA 24011
Second Sterling Corp.	302 South Jefferson Street, Roanoke, VA 24011
Sequoia Energy, LLC	302 South Jefferson Street, Roanoke, VA 24011
Southeast Cotton, Inc.	P O Box 2178, Beaver, WV 25813-2178
Southeast Elevators, Inc.	P O Box 2178, Beaver, WV 25813-2178
Southern Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Minerals, LLC	302 South Jefferson Street, Roanoke, VA 24011
Stretcher Neck Properties, Limited Liability Company	P O Box 2178, Beaver, WV 25813-2178
SUMO, L.L.C.	P O Box 2178, Beaver, WV 25813-2178
The Chesapeake and Ohio Traveler, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Clinic, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Resort and Club Management Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club Development Company, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Old White Development Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Triple J, LLC	P O Box 2178, Beaver, WV 25813-2178
Twin Fir Estates, LLC	P O Box 2178, Beaver, WV 25813-2178
Virginia Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Virginia Maintenance and Rebuilding Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Wilcox Industries Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Hospitality Partners, LLC	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Partners, Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Resort Premier Properties, LLC	P O Box 2178, Beaver, WV 25813-2178
WV Timber, LLC	P O Box 2178, Beaver, WV 25813-2178

Name: James C. Justice, II

Return completed form to:
ellen.m.briggs@wv.gov
WV Ethics Commission
210 Brooks Street, Suite 300
Charleston, WV 25301



Candidate information, if applicable

County: _____

Candidate for: _____

Date you filed for candidacy: _____

District or circuit, if applicable: _____

West Virginia Ethics Commission Financial Disclosure Statement

Received

JAN 31 2018

WV Ethics Commission

Revised: 12-9-16

Directions

- Please read and answer **every question**—even if your answer is “N/A” (not applicable). Incomplete original Statements will be returned to you for completion or correction.
- You must file a new Financial Disclosure Statement each year you hold or run for a public position.
- If this is your annual filing, the Statement is due by February 1.
- If you are a new appointee, this Statement is due within 30 days of the date of your appointment.
- If you are a candidate for public office, this Statement is due within 10 days of filing your *Certificate of Announcement*.
- The information you provide on this Statement covers the prior calendar year.
- You may attach additional pages to this form if necessary.

1. Name of Filer and Spouse

Filer's last name Justice, II First name James C.
Spouse's last name Justice First name Cathy L.
County of residence Greenbrier
Business (employment) address WV State Capitol
City/state/zip Charleston, WV 25305

2. Elective Office

Do you currently hold a county, circuit or state elected office? Yes ☒ No ☐

If yes, title of office: Governor

Are you a candidate, or do you plan to become a candidate for public office in the next election? N/A ☒ Yes ☐ No ☐

If yes, for what office: _____ Date you filed for candidacy: _____

3. Positions on State Boards, Commissions or Agencies

List all State Boards, Commissions or Agencies on which you now serve or have served in the past 12 months through appointment by the Governor. ☐ Mark here if N/A

Name: James C.

Justice, II

4. Business Names

List all names under which you and/or your spouse conduct or do business. If you or your spouse are self-employed, list the name or names under which you or your spouse conducts the business, trade, sole proprietorship or profession.

☐ Mark here if no business names to report

self ☒ spouse ☐

see attached listing

self ☐ spouse ☒

Comer Electric, Inc. (inactive)--Justice Family Racing, Inc. (active)

self ☐ spouse ☐

5. Employment

For you and your spouse, list the name and address of each full-time or part-time employer(s) during the preceding calendar year. Include all employment with city, county or state government as well as employment in the private sector. Provide your job title and a general description of your job duties. For purposes of this question, an employer is one who provides you with a W-2 form. This does not include self-employment if listed elsewhere on the Financial Disclosure Statement.

☐ Mark here if neither you nor your spouse were employed during the past year.

Employer Name and Address		Job title and duties of your position
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	1.State of WV State Capitol, Charleston, WV 25305	Governor
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	2. Greenbrier County Schools P O Box 987, Lewisburg, WV 24901	Head Boys & Girls Basketball Coach (Girls coach-all of 2017, Boys coach-to Sept 14, 2017)
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	3. Greenbrier Hotel Corporation 300 West Main St., WSS, WV 24986	Operations Advisor
self <input type="checkbox"/> spouse <input type="checkbox"/>	4.	

6. 20% Gross Income Categories for you and your spouse

Did you or your spouse receive more than 20% of your gross income during the past calendar year from any one or more of the categories listed below? Yes ☒ No ☐ If yes, mark with an 'X' all categories that apply to you and/or your spouse.

self	spouse	self	spouse	self	spouse
COMPANIES		MINING		GOVERNMENT	
<input type="checkbox"/>	<input type="checkbox"/> Advertising	<input type="checkbox"/>	<input type="checkbox"/> Surface mining	<input type="checkbox"/>	<input type="checkbox"/> City or town
<input type="checkbox"/>	<input type="checkbox"/> Beer, wine or liquor (or distributor)	<input type="checkbox"/>	<input type="checkbox"/> Mining equipment	<input type="checkbox"/>	<input type="checkbox"/> County
<input type="checkbox"/>	<input type="checkbox"/> Brokerage/Financial Advisor	<input type="checkbox"/>	<input type="checkbox"/> Deep mining	<input checked="" type="checkbox"/>	<input type="checkbox"/> State
<input type="checkbox"/>	<input type="checkbox"/> Cable television	OIL OR GAS		ASSOCIATIONS OR ORGANIZATIONS	
<input type="checkbox"/>	<input type="checkbox"/> Chemical	<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input type="checkbox"/> Labor Association/Organization
<input type="checkbox"/>	<input type="checkbox"/> Construction	<input type="checkbox"/>	<input type="checkbox"/> Wholesale	<input type="checkbox"/>	<input type="checkbox"/> Professional Association
<input type="checkbox"/>	<input type="checkbox"/> Insurance	<input type="checkbox"/>	<input type="checkbox"/> Exploration	<input type="checkbox"/>	<input type="checkbox"/> Association that promotes gaming or lottery
<input type="checkbox"/>	<input type="checkbox"/> Interstate transportation	<input type="checkbox"/>	<input type="checkbox"/> Production & Drilling	<input type="checkbox"/>	<input type="checkbox"/> Association of public employees or public officials
<input type="checkbox"/>	<input type="checkbox"/> Intrastate transportation	UTILITIES		<input type="checkbox"/>	<input type="checkbox"/> Trade Association or Organization
<input type="checkbox"/>	<input type="checkbox"/> Manufacturing	<input type="checkbox"/>	<input type="checkbox"/> Electric	OTHER	
<input type="checkbox"/>	<input type="checkbox"/> Media	<input type="checkbox"/>	<input type="checkbox"/> Gas	<input type="checkbox"/>	<input type="checkbox"/> Economic Development
<input type="checkbox"/>	<input type="checkbox"/> Promotional	<input type="checkbox"/>	<input type="checkbox"/> Telephone	<input type="checkbox"/>	<input type="checkbox"/> Hospitals or other health care providers
<input type="checkbox"/>	<input type="checkbox"/> Race tracks	<input type="checkbox"/>	<input type="checkbox"/> Water	<input type="checkbox"/>	<input type="checkbox"/> Information Technology
<input type="checkbox"/>	<input type="checkbox"/> Recreation	FINANCIAL		<input type="checkbox"/>	<input type="checkbox"/> Legal service providers
<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input type="checkbox"/> Banks, Savings & Loan Assoc.	<input type="checkbox"/>	<input type="checkbox"/> Lobbying
<input type="checkbox"/>	<input type="checkbox"/> Timber	<input type="checkbox"/>	<input type="checkbox"/> Loan or Finance Companies		
<input type="checkbox"/>	<input type="checkbox"/> Wholesale				
<input type="checkbox"/>	<input type="checkbox"/> Waste disposal				

West Virginia Ethics Commission
Financial Disclosure Statement

James C. Justice, II
Cathy L. Justice, Spouse

Question 6
20% Gross Income Categories

"Spouse" –Hospitality

James C. Justice, II	
Question 4-Business Names	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
A & G Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Airway Resources, LLC	302 South Jefferson Street, Roanoke, VA 24011
American Turf Grass Corporation	302 South Jefferson Street, Roanoke, VA 24011
Baden Reclamation Company	302 South Jefferson Street, Roanoke, VA 24011
Bardo Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
Beckley Little League, Inc.	P O Box 2178, Beaver, WV 25813-2178
Beech Creek Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bellwood Corporation	302 South Jefferson Street, Roanoke, VA 24011
BKCC L.L.C.	P O Box 2178, Beaver, WV 25813-2178
Black River Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
Blueridge Farm Center, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Energy Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Equipment Management, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Mineral, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Oil Corp.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Resources Inc.	302 South Jefferson Street, Roanoke, VA 24011
Caldwell Trailblazer, LLC	302 South Jefferson Street, Roanoke, VA 24011
Cane Patch Mining Co., Inc.	302 South Jefferson Street, Roanoke, VA 24011
Chestnut Land Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Coaltex, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Cumberland Valley Contractors, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Double-Bonus Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Dublin Properties, L.C.	302 South Jefferson Street, Roanoke, VA 24011
Dynamic Energy Inc	302 South Jefferson Street, Roanoke, VA 24011
Energy Plus, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Environmental Fund, LLC	302 South Jefferson Street, Roanoke, VA 24011
Equipment Support Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Far and Sure L. P.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Four Star Resources LLC	302 South Jefferson Street, Roanoke, VA 24011
Frontier Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Gilbert Mine, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Grain Development, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Grandview Investment Company	302 South Jefferson Street, Roanoke, VA 24011
Greenbrier Care, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Clinic Surgery Center, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Golf and Tennis Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Hotel Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier, IA, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Medical Institute, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenhorn, LLC	302 South Jefferson Street, Roanoke, VA 24011
Infinity Energy, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, LLC	302 South Jefferson Street, Roanoke, VA 24011
James River Construction Company	302 South Jefferson Street, Roanoke, VA 24011
JCJ Coal Group LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Aviation, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Coal of Alabama, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Energy Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Farms, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Foundation, Inc.	P O Box 2178, Beaver, WV 25813-2178
Justice Family Group, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Justice Family Racing, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Highwall Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Low Seam Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Management Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Coal Transport, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Keystone Service Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Kirby Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Liggett Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
M & P Services Inc.	302 South Jefferson Street, Roanoke, VA 24011
Machinery Services and Support, LLC	302 South Jefferson Street, Roanoke, VA 24011
Mechel North America Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Meg-Lynn Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Midelburg Property, LLC	P O Box 2178, Beaver, WV 25813-2178
Midtown Investments, LLC	P O Box 2178, Beaver, WV 25813-2178
Mine Support Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
Monroe Properties, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Mountain State Coal Classic, Inc.	P O Box 2178, Beaver, WV 25813-2178
National Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
National Resources, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nevada Holdings, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nine Mile Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
NUFAC Mining Company, Inc	302 South Jefferson Street, Roanoke, VA 24011
Oakhurst Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Charities, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Orchard Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Pay Car Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Players Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Premium Coal Company, Incorporated	302 South Jefferson Street, Roanoke, VA 24011
Ranger Coal Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Group, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Rapidan, LLC	302 South Jefferson Street, Roanoke, VA 24011
S and H Mining Inc.	302 South Jefferson Street, Roanoke, VA 24011
Saddlebred, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
SCC Coal Augering, LLC	302 South Jefferson Street, Roanoke, VA 24011
Second Sterling Corp.	302 South Jefferson Street, Roanoke, VA 24011
Sequoia Energy, LLC	302 South Jefferson Street, Roanoke, VA 24011
Southeast Cotton, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southeast Elevators, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Heavy Equipment, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southern Minerals, LLC	302 South Jefferson Street, Roanoke, VA 24011
Stretcher Neck Properties, Limited Liability Company	P O Box 2178, Beaver, WV 25813-2178
SUMO, L.L.C.	302 South Jefferson Street, Roanoke, VA 24011
The Chesapeake and Ohio Traveler, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Clinic, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Executive Health, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Resort and Club Management Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club Development Company, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Old White Development Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Triple J, LLC	302 South Jefferson Street, Roanoke, VA 24011
Twin Fir Estates, LLC	302 South Jefferson Street, Roanoke, VA 24011
Virginia Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Virginia Maintenance and Rebuilding Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
West Virginia Timber, Inc	P O Box 2178, Beaver, WV 25813-2178
Wilcox Industries Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice, II ownership interest in the following entities was placed in a Blind Trust as of April 30, 2017:	
Glade Acquisitions, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Glade Springs Real Estate Company L.L.C.	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
GSR LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Justice Holdings LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Wintergreen Hospitality Partners, LLC	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Partners, Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Resort Premier Properties, LLC	P O Box 2178, Beaver, WV 25813-2178

7. For-Profit Business

List the name and address of each for-profit business on which either you or your spouse serves on the Board of Directors or as an officer. Describe the type of business.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a for-profit business.

Name and address of the business	Description of the business
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/> Justice Family Racing, LLC 302 S. Jefferson Street, Roanoke, VA 24011	Horse racing
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/> Comer Electric, Inc. P O Box 2178, Beaver, WV 25813-2178	Electrical Contractor-inactive
self <input type="checkbox"/> spouse <input type="checkbox"/>	

8. Non-Profit Organization

List the name and address of each non-profit organization on which either you or your spouse serves on the Board of Directors or as an officer. Describe the non-profit organization.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a non-profit organization.

Name and address of the organization	Description of the non-profit
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> Beckley Little League, Inc. P O Box 2178, Beaver, WV 25813-2178	Chartered Little League Program
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/> Old White Charities, Inc. 300 West Main St., WSS, WV 24986	Operates a PGA Licensed Charity Golf Tournament
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> The Big Atlantic Classic P O Box 2178, Beaver, WV 25813-2178	Charity Basketball Tournament (formerly Mountain State Coal Classic)

9. Sales or Contracts with State, County or Local Government

During the past calendar year, did you or your spouse have any sales or contracts with any unit of state, county or local government? Yes _____ No ☒ (Sales or contracts for goods or services may be either direct or through a partnership, corporation or association in which either you or your spouse owned or controlled more than 10 percent.)

If yes, identify the government agency that purchased the goods or services, and describe the nature of the goods or services. (See the instruction sheet for more information about the Ethics Act's prohibition against having an interest in a public contract under W. Va. Code § 6B-2-5(d).)

Name of Government organization	Description of goods or services provided
self spouse <input checked="" type="checkbox"/> Example: State of WV DHHR	Foster home placement studies
self <input checked="" type="checkbox"/> spouse Example: Clay County Sheriff's Department	Rental of garage space for patrol cars
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

10. Adult Children – Public Employment

List the name and business address of any adult child or step-child employed by any unit of state, county or local government.

☒ Mark here if this question does not apply to you.

Name of child or step-child	Business address

Name: James C. Justice, II**11. DEBTS**

A. Owed to others: List the names of all persons residing or transacting business in the state who you owe more than \$5,000 (in the aggregate) on the date of this Statement. Include debts you owe in the name of any other person and debts on which you are a cosigner.

You **DO NOT** have to report:

1. Debts to immediate family members, parents or grandparents
2. Home mortgages for your primary and secondary residences
3. Loans for autos maintained for the use of your immediate family
4. Student loans
5. Debts resulting from the ordinary conduct of your business, profession or occupation
6. Debts to a financial institution or to a credit card company

If any debt over \$5,000, which is otherwise non-reportable, required the approval of the state or any of its political subdivisions, or if a loan was obtained from the "Linked Deposit Program" (W. Va. Code § 12-1A-1 et seq.), you must list the debt.

☒ Mark here if you owe no debts as described above.

B. Owed to you: List the names of all persons residing or transacting business in the state who owe you, in the aggregate, more than \$5,000 on the date of this Statement (either in your name or any other person's name for your use or benefit.)

You **DO NOT** have to report:

1. Debts from immediate family members, parents or grandparents
2. Debts resulting from the ordinary conduct of your business, profession or occupation
3. Demand or saving accounts in banks, savings and loan associations, or other similar depositories
4. Loans by you to any business in which you have an ownership interest

☐ Mark here if you had no debts owed to you as described above.

Charles S. Morton

12. GIFTS

A gift is anything with monetary value, including meals and beverages. If you, your spouse, and/or any of your dependents received one or more gifts whose total value is more than \$100 from a person, business or organization which has a direct and immediate interest in a governmental activity over which you have control, then list the name of each giver UNLESS it falls into one of the exceptions listed below. "Total value" includes the cumulative fair market value of all gifts from the same source, directly or indirectly, during the previous calendar year.

Gifts from the following sources need **NOT** be reported:

1. your spouse, child, grandchild, parents or grandparents
2. a trust established by your spouse, child, grandchild or ancestor
3. a will or lawful inheritance in the absence of a will
4. a registered lobbyist (*registered lobbyists report these expenditures on the Lobbyist Schedule A form with their Lobbyist Activity Reporting forms*)

☒ Mark here if you received no gifts as described above.

Name: James C.

Justice, II

This page applies to questions 13 and 14 on the next page.**** If you are an elected official, candidate or state or higher education employee, you do not need to complete Worksheet A. You must, however, answer questions 13 and 14 about you and your spouse.****** All other filers:** If you have been appointed to serve on a State Board, Commission or Agency by the Governor and receive no compensation for your service, you may not be required to report certain financial information about your spouse. Complete Worksheet A to determine if this spousal exemption applies. You still must report your own income and business information in questions 13 and 14.**Worksheet A (for questions 13 and 14)****Part 1. Are you a State Board, Commission or Agency member appointed by the Governor?****YES** ☐ Continue to Part 2.**NO** ☐ **DO NOT** complete parts 2 or 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.**Part 2. Do you hold another office or employment position that requires you to file this Financial Disclosure Statement?****YES** ☐ **DO NOT** complete part 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.**NO** ☐ Continue to Part 3.**Part 3. Complete this section to determine if you are exempt from disclosing certain financial information about your spouse in questions 13 and 14 on the next page.**

List the name of the State Board, Commission or Agency of which you are an appointed member:

Board name: _____

Check each box that applies:

1. ☐ There is no compensation, per diem, salary or other payment authorized by state law for serving on this Board or Commission. (Excluding travel or expense reimbursement) Note: The test is not whether you decline compensation but whether it is authorized by code, statute or law.
2. ☐ Neither my spouse nor a business with which he or she is associated is regulated by the State Board, Commission or Agency on which I serve by appointment. ("Associated" is defined as a business in which your spouse, or his or her immediate family member, is a director, officer, owner, employee, compensated agent or holder of stock which constitutes five percent or more of the total outstanding stocks of any class. "Immediate family member" means dependent children, grandchildren or parents.)
3. ☐ Neither my spouse nor a business with which he or she is associated has a contract with, or receives any grants or appropriations from, the State Board, Commission or Agency on which I (the filer) serve.

➔ If you have checked all three boxes in Part 3 above, then answer questions 13 and 14 on the next page as they pertain only to you.**➔ If you did not check all three boxes in Part 3, you must answer questions 13 and 14 in their entirety as they pertain to both you and your spouse.**

13. ALL sources of income over \$1,000 including employment - (To determine if you must disclose income information about your spouse, refer to Worksheet A)

- List every source or category of income or employment over \$1,000 received by you and/or your spouse during the preceding calendar year in your name, or by any other person for your use or benefit. Include employment even if listed elsewhere on this Statement.
- Include distributions received from retirement and pension accounts.
- Do not list specific names of clients or customers. *For example*, if you are a lawyer or an insurance agent, do not list the names of your clients.
- Do not disclose actual dollar amounts of income, only the source.

Indicate if the income was received by you or your spouse by marking the appropriate box in the chart below.

Categories of income over \$1,000		Description (or job title)
self <input checked="" type="checkbox"/> spouse	Example: Social Security	U.S. Government
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Sold real estate	Sold residence in Beckley
self <input checked="" type="checkbox"/> spouse	Example: Farming/timber	Sold timber from my farm
self spouse <input checked="" type="checkbox"/>	Example: Employment	Teacher, Mingo County schools
self <input type="checkbox"/> spouse <input type="checkbox"/>	Employment-Prior to Inauguration	Greenbrier Hotel Corporation
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Employment	Greenbrier Hotel Corporation
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	Interest on CD's	Commercial Bank
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Dividends	Publicly traded investments
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Stock sales	Publicly traded investments
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	Employment	State of WV

14. Business and/or Property Interests - (To determine if you must disclose business or property interests of your spouse, refer to Worksheet A)

List the name and address of each business in which, during the past calendar year, you or your spouse held an interest with a fair market value of \$10,000 or more including, but not limited to: non-publicly owned businesses, publicly or privately traded stocks, bonds or securities, including those held in self-directed retirement accounts, and commercial real estate. (For purposes of this question, DO NOT include mutual funds or specific holdings in mutual funds or retirement accounts. However, distributions from retirement accounts must be reported in question 13 if they are greater than over \$1,000 annually.) Attach additional sheets if necessary.

☐ Mark here if neither you nor your spouse had any interest in a business or real estate as described above.

self spouse <input checked="" type="checkbox"/>	Example: Jones Coal Hauling, 123 Main Street, Placeville WV
self <input checked="" type="checkbox"/> spouse	Example: Stonefront Apartment Building, 123 Main Street, Charleston WV 25312
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Acme Bank Stock, 788 Water Street, Cincinnati OH 34343
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	
See attached listing	
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Comer Electric, Inc., P O Box 2178, Beaver, WV 25813-2178
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Justice Family Racing, LLC, 302 S. Jefferson Street, Roanoke, VA 24011

West Virginia Ethics Commission
Financial Disclosure Statement

James C. Justice, II

Question 13

All sources of income over \$1,000 including employment

Justice Salary Disclosure:

Governor Justice received his full salary from the State of West Virginia for all pay periods in 2017 that he was eligible to receive compensation.

These payments were taxable income to him and the appropriate taxes were deducted from his paychecks.

Governor Justice donated his entire 2017 net pay, after taxes, to the WV Department of Education, Communities in Schools Program.

James C. Justice, II	
Question 4-Business Names	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
A & G Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Airway Resources, LLC	302 South Jefferson Street, Roanoke, VA 24011
American Turf Grass Corporation	302 South Jefferson Street, Roanoke, VA 24011
Baden Reclamation Company	302 South Jefferson Street, Roanoke, VA 24011
Bardo Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
Beckley Little League, Inc.	P O Box 2178, Beaver, WV 25813-2178
Beech Creek Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bellwood Corporation	302 South Jefferson Street, Roanoke, VA 24011
BKCC L.L.C.	P O Box 2178, Beaver, WV 25813-2178
Black River Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
Blueridge Farm Center, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Energy Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Equipment Management, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Mineral, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Oil Corp.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Resources Inc.	302 South Jefferson Street, Roanoke, VA 24011
Caldwell Trailblazer, LLC	302 South Jefferson Street, Roanoke, VA 24011
Cane Patch Mining Co., Inc.	302 South Jefferson Street, Roanoke, VA 24011
Chestnut Land Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Coaltex, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Cumberland Valley Contractors, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Double-Bonus Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Dublin Properties, L.C.	302 South Jefferson Street, Roanoke, VA 24011
Dynamic Energy Inc	302 South Jefferson Street, Roanoke, VA 24011
Energy Plus, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Environmental Fund, LLC	302 South Jefferson Street, Roanoke, VA 24011
Equipment Support Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Far and Sure L. P.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Four Star Resources LLC	302 South Jefferson Street, Roanoke, VA 24011
Frontier Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Gilbert Mine, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Grain Development, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Grandview Investment Company	302 South Jefferson Street, Roanoke, VA 24011
Greenbrier Care, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Clinic Surgery Center, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Golf and Tennis Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Hotel Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier, IA, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Medical Institute, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenthorn, LLC	302 South Jefferson Street, Roanoke, VA 24011
Infinity Energy, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, LLC	302 South Jefferson Street, Roanoke, VA 24011
James River Construction Company	302 South Jefferson Street, Roanoke, VA 24011
JCJ Coal Group LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Aviation, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Coal of Alabama, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Energy Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Farms, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Foundation, Inc.	P O Box 2178, Beaver, WV 25813-2178
Justice Family Group, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Justice Family Racing, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Highwall Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Low Seam Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Management Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Coal Transport, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Keystone Service Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Kirby Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Liggett Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
M & P Services Inc.	302 South Jefferson Street, Roanoke, VA 24011
Machinery Services and Support, LLC	302 South Jefferson Street, Roanoke, VA 24011
Mechel North America Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Meg-Lynn Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Midelburg Property, LLC	P O Box 2178, Beaver, WV 25813-2178
Midtown Investments, LLC	P O Box 2178, Beaver, WV 25813-2178
Mine Support Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
Monroe Properties, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Mountain State Coal Classic, Inc.	P O Box 2178, Beaver, WV 25813-2178
National Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
National Resources, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nevada Holdings, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nine Mile Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
NUFAC Mining Company, Inc	302 South Jefferson Street, Roanoke, VA 24011
Oakhurst Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Charities, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Orchard Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Pay Car Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Players Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Premium Coal Company, Incorporated	302 South Jefferson Street, Roanoke, VA 24011
Ranger Coal Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Group, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Rapidan, LLC	302 South Jefferson Street, Roanoke, VA 24011
S and H Mining Inc.	302 South Jefferson Street, Roanoke, VA 24011
Saddlebred, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
SCC Coal Augering, LLC	302 South Jefferson Street, Roanoke, VA 24011
Second Sterling Corp.	302 South Jefferson Street, Roanoke, VA 24011
Sequoia Energy, LLC	302 South Jefferson Street, Roanoke, VA 24011
Southeast Cotton, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southeast Elevators, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Heavy Equipment, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southern Minerals, LLC	302 South Jefferson Street, Roanoke, VA 24011
Stretcher Neck Properties, Limited Liability Company	P O Box 2178, Beaver, WV 25813-2178
SUMO, L.L.C.	302 South Jefferson Street, Roanoke, VA 24011
The Chesapeake and Ohio Traveler, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Clinic, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Executive Health, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Resort and Club Management Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club Development Company, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Old White Development Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Triple J, LLC	302 South Jefferson Street, Roanoke, VA 24011
Twin Fir Estates, LLC	302 South Jefferson Street, Roanoke, VA 24011
Virginia Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Virginia Maintenance and Rebuilding Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
West Virginia Timber, Inc	P O Box 2178, Beaver, WV 25813-2178
Wilcox Industries Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice, II ownership interest in the following entities was placed in a Blind Trust as of April 30, 2017:	
Glade Acquisitions, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Glade Springs Real Estate Company L.L.C.	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
GSR LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Justice Holdings LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Wintergreen Hospitality Partners, LLC	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Partners, Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Resort Premier Properties, LLC	P O Box 2178, Beaver, WV 25813-2178

WV ETHICS COMMISSION		
FINANCIAL DISCLOSURE STATEMENT		
JAMES C. JUSTICE, II		
QUESTION 14-BUSINESS AND/OR PROPERTY INTERESTS (HOLDINGS WITHIN THE PAST YEAR-EXCLUDING MUTUAL FUNDS AND RETIREMENT ACCOUNTS)		
SEE ATTACHED LISTING OF PRIVATELY HELD BUSINESSES		
PUBLICLY TRADED SECURITIES:		
DICKS SPORTING GOODS	SELF	C/O SCOTTRADE
APPLE	SPOUSE	C/O SCOTTRADE
AMAZON.COM	SPOUSE	C/O SCOTTRADE
DRYSHIPS, INC.	SPOUSE	C/O SCOTTRADE
FORD MOTOR CO	SPOUSE	C/O SCOTTRADE
MICROSOFT	SPOUSE	C/O SCOTTRADE
NETFLIX	SPOUSE	C/O SCOTTRADE
MONSTER BEVERAGE CORP	SPOUSE	C/O SCOTTRADE
U S STEEL CORPORATION	SPOUSE	C/O SCOTTRADE
WEST VIRGINIA MEDIA PARTNERS	SELF	350 QUARRIER ST, CHARLESTON, WV 25301
NEXEON MEDSYSTEMS (CELONOVA)	SELF	1500 BULL LEA ROAD, LEXINGTON, KY 40511
COMPRESSUS	SELF	101 CONSTITUTION AVENUE, NW, WASHINGTON, DC 20001
MECHEL, OAO PREFERRED	SELF	C/O GOLDMAN SACHS, NEW YORK, NY
PREMIER BANK, INC.	SELF	2883 5TH AVENUE, HUNTINGTON, WV 25702
PREMIER BANK, INC.	SPOUSE	2883 5TH AVENUE, HUNTINGTON, WV 25702
MORGANTOWN INDUSTRIAL PARK ASSOCIATES, LP	SELF	P O BOX 1138, SHEPHERDSVILLE, KY 40165
ALLEGHENY CREATIVE ENERGY SOLUTIONS, INC.	SELF	191 S. KEIM ST., SUITE 110, POTTSTOWN, PA 19464

**West Virginia Ethics Commission
Financial Disclosure Statement**

James C. Justice, II

Question 13

All sources of income over \$1,000 including employment

"Self"

Coach-Greenbrier County Schools

Name: James

Justice, II

Return completed form to:
ellen.m.briggs@wv.gov
 WV Ethics Commission
 210 Brooks Street, Suite 300
 Charleston, WV 25301



Candidate information, if applicable

County : _____

Candidate for: _____

Date you filed for candidacy: _____

District or circuit, if applicable _____

West Virginia Ethics Commission Financial Disclosure Statement

Received
 JAN 31 2019
 WV Ethics Commission

Revised: 12-9-16

Directions

- Please read and answer **every question**—even if your answer is “N/A” (not applicable). Incomplete original Statements will be returned to you for completion or correction.
- You must file a new Financial Disclosure Statement **each year** you hold or run for a public position.
- If this is your annual filing, the Statement is due by February 1.
- If you are a new appointee, this Statement is due within 30 days of the date of your appointment.
- If you are a candidate for public office, this Statement is due within 10 days of filing your *Certificate of Announcement*.
- The information you provide on this Statement covers the prior calendar year.
- You may attach additional pages to this form if necessary.

1. Name of Filer and Spouse

Filer's last name Justice, II First name James
 Spouse's last name Justice First name Cathy
 County of residence Greenbrier
 Business (employment) address WV State Capitol
 City/state/zip Charleston, WV 25305

2. Elective Office

Do you currently hold a county, circuit or state elected office? Yes X No _____If yes, title of office: GovernorAre you a candidate, or do you plan to become a candidate for public office in the next election? N/A _____ Yes X No _____If yes, for what office: Governor Date you filed for candidacy: January 7, 2019

3. Positions on State Boards, Commissions or Agencies

List all State Boards, Commissions or Agencies on which you now serve or have served in the past 12 months through appointment by the Governor. ☐ Mark here if N/A

Name: James

Justice, II

4. Business Names

List all names under which you and/or your spouse conduct or do business. If you or your spouse are self-employed, list the name or names under which you or your spouse conducts the business, trade, sole proprietorship or profession.

☐ Mark here if no business names to report

self ☒ spouse ☐

see attached listing

self ☐ spouse ☒

Comer Electric, Inc. (inactive)--Justice Family Racing, Inc. (active)

self ☐ spouse ☐

5. Employment

For you and your spouse, list the name and address of each full-time or part-time employer(s) during the preceding calendar year. Include all employment with city, county or state government as well as employment in the private sector. Provide your job title and a general description of your job duties. For purposes of this question, an employer is one who provides you with a W-2 form. This does not include self-employment if listed elsewhere on the Financial Disclosure Statement.

☐ Mark here if neither you nor your spouse were employed during the past year.

	Employer Name and Address	Job title and duties of your position
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	1.State of WV State Capitol, Charleston, WV 25305	Governor
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	2. Greenbrier County Schools P O Box 987, Lewisburg, WV 24901	Head Girls Basketball Coach, Greenbrier East H.S.
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	3. Greenbrier Hotel Corporation 101 Main Street, West, WSS, WV 2498	Operations Advisor
self <input type="checkbox"/> spouse <input type="checkbox"/>	4.	

6. 20% Gross Income Categories for you and your spouse

Did you or your spouse receive more than 20% of your gross income during the past calendar year from any one or more of the categories listed below? Yes x No If yes, mark with an 'X' all categories that apply to you and/or your spouse.

self	spouse	self	spouse	self	spouse
COMPANIES		MINING		GOVERNMENT	
<input type="checkbox"/>	<input type="checkbox"/> Advertising	<input type="checkbox"/>	<input type="checkbox"/> Surface mining	<input type="checkbox"/>	<input type="checkbox"/> City or town
<input type="checkbox"/>	<input type="checkbox"/> Beer, wine or liquor (or distributor)	<input type="checkbox"/>	<input type="checkbox"/> Mining equipment	<input type="checkbox"/>	<input type="checkbox"/> County
<input type="checkbox"/>	<input type="checkbox"/> Brokerage/Financial Advisor	<input type="checkbox"/>	<input type="checkbox"/> Deep mining	<input checked="" type="checkbox"/>	<input type="checkbox"/> State
<input type="checkbox"/>	<input type="checkbox"/> Cable television	OIL OR GAS		ASSOCIATIONS OR ORGANIZATIONS	
<input type="checkbox"/>	<input type="checkbox"/> Chemical	<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input type="checkbox"/> Labor Association/Organization
<input type="checkbox"/>	<input type="checkbox"/> Construction	<input type="checkbox"/>	<input type="checkbox"/> Wholesale	<input type="checkbox"/>	<input type="checkbox"/> Professional Association
<input type="checkbox"/>	<input type="checkbox"/> Insurance	<input type="checkbox"/>	<input type="checkbox"/> Exploration	<input type="checkbox"/>	<input type="checkbox"/> Association that promotes gaming or lottery
<input type="checkbox"/>	<input type="checkbox"/> Interstate transportation	<input type="checkbox"/>	<input type="checkbox"/> Production & Drilling	<input type="checkbox"/>	<input type="checkbox"/> Association of public employees or public officials
<input type="checkbox"/>	<input type="checkbox"/> Intrastate transportation	UTILITIES		<input type="checkbox"/>	<input type="checkbox"/> Trade Association or Organization
<input type="checkbox"/>	<input type="checkbox"/> Manufacturing	<input type="checkbox"/>	<input type="checkbox"/> Electric	OTHER	
<input type="checkbox"/>	<input type="checkbox"/> Media	<input type="checkbox"/>	<input type="checkbox"/> Gas	<input type="checkbox"/>	<input type="checkbox"/> Economic Development
<input type="checkbox"/>	<input type="checkbox"/> Promotional	<input type="checkbox"/>	<input type="checkbox"/> Telephone	<input type="checkbox"/>	<input type="checkbox"/> Hospitals or other health care providers
<input type="checkbox"/>	<input type="checkbox"/> Race tracks	<input type="checkbox"/>	<input type="checkbox"/> Water	<input type="checkbox"/>	<input type="checkbox"/> Information Technology
<input type="checkbox"/>	<input type="checkbox"/> Recreation	FINANCIAL		<input type="checkbox"/>	<input type="checkbox"/> Legal service providers
<input type="checkbox"/>	<input type="checkbox"/> Retail	<input type="checkbox"/>	<input type="checkbox"/> Banks, Savings & Loan Assoc.	<input type="checkbox"/>	<input type="checkbox"/> Lobbying
<input type="checkbox"/>	<input type="checkbox"/> Timber	<input type="checkbox"/>	<input type="checkbox"/> Loan or Finance Companies		
<input type="checkbox"/>	<input type="checkbox"/> Wholesale				
<input type="checkbox"/>	<input type="checkbox"/> Waste disposal				

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
A & G Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Airway Resources, LLC	302 South Jefferson Street, Roanoke, VA 24011
American Turf Grass Corporation	302 South Jefferson Street, Roanoke, VA 24011
Baden Reclamation Company	302 South Jefferson Street, Roanoke, VA 24011
Bardo Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
Beckley Little League, Inc.	P O Box 2178, Beaver, WV 25813-2178
Beech Creek Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bellwood Corporation	302 South Jefferson Street, Roanoke, VA 24011
BKCC L.L.C.	P O Box 2178, Beaver, WV 25813-2178
Black Diamond Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Black River Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
Blackstone Metallurgical Coal, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Blueridge Farm Center, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Energy Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Equipment Management, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Mineral, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Oil Corp.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Resources Inc.	302 South Jefferson Street, Roanoke, VA 24011
Caldwell Trailblazer, LLC	302 South Jefferson Street, Roanoke, VA 24011
Cane Patch Mining Co., Inc.	302 South Jefferson Street, Roanoke, VA 24011
Chestnut Land Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Coaltex, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Cumberland Valley Contractors, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Double-Bonus Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Dublin Properties, L.C.	302 South Jefferson Street, Roanoke, VA 24011
Dynamic Energy Inc	302 South Jefferson Street, Roanoke, VA 24011
Energy Plus, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Environmental Fund, LLC	302 South Jefferson Street, Roanoke, VA 24011
Equipment Support Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Four Star Resources LLC	302 South Jefferson Street, Roanoke, VA 24011
Frontier Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Gilbert Mine, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Glade Springs Therapeutic Riding, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Grain Development, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Grandview Investment Company	302 South Jefferson Street, Roanoke, VA 24011
Greenbrier Care, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Clinic Surgery Center, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Golf and Tennis Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Hotel Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier, IA, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Medical Institute, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenthorn, LLC	302 South Jefferson Street, Roanoke, VA 24011
Infinity Energy, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, LLC	302 South Jefferson Street, Roanoke, VA 24011
James River Construction Company	302 South Jefferson Street, Roanoke, VA 24011
JCI Coal Group LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Aviation, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Coal of Alabama, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Energy Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Farms, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Foundation, Inc.	P O Box 2178, Beaver, WV 25813-2178
Justice Family Group, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Justice Highwall Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Low Seam Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Management Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Coal Transport, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Keystone Service Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Kirby Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Liggett Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
M & P Services Inc.	302 South Jefferson Street, Roanoke, VA 24011
Machinery Services and Support, LLC	302 South Jefferson Street, Roanoke, VA 24011
Mechei North America Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Meg-Lynn Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Middelburg Property, LLC	P O Box 2178, Beaver, WV 25813-2178

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
Midtown Investments, LLC	P O Box 2178, Beaver, WV 25813-2178
Mine Support Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Monroe Properties, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Mountain State Coal Classic, Inc.	P O Box 2178, Beaver, WV 25813-2178
National Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
National Resources, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nevada Holdings, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nine Mile Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
NUFAC Mining Company, Inc	302 South Jefferson Street, Roanoke, VA 24011
Oakhurst Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Charities, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Orchard Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Pay Car Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Players Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Premium Coal Company, Incorporated	302 South Jefferson Street, Roanoke, VA 24011
Ranger Coal Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
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Ranger Energy Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Rapidan, LLC	302 South Jefferson Street, Roanoke, VA 24011
S and H Mining Inc.	302 South Jefferson Street, Roanoke, VA 24011
Saddlebred, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
SCC Coal Augering, LLC	302 South Jefferson Street, Roanoke, VA 24011
Second Sterling Corp.	302 South Jefferson Street, Roanoke, VA 24011
Sequoia Energy, LLC	302 South Jefferson Street, Roanoke, VA 24011
Southeast Cotton, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southeast Elevators, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Heavy Equipment, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southern Minerals, LLC	302 South Jefferson Street, Roanoke, VA 24011
Stretcher Neck Properties, Limited Liability Company	P O Box 2178, Beaver, WV 25813-2178
SUMO, L.L.C.	302 South Jefferson Street, Roanoke, VA 24011
The Chesapeake and Ohio Traveler, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Clinic, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Executive Health, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Resort and Club Management Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club Development Company, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Old White Development Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Triple J, LLC	302 South Jefferson Street, Roanoke, VA 24011
Twin Fir Estates, LLC	302 South Jefferson Street, Roanoke, VA 24011
Virginia Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Virginia Maintenance and Rebuilding Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
West Virginia Timber, Inc	P O Box 2178, Beaver, WV 25813-2178
Wilcox Industries Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice, II ownership interest in the following entities was placed in a Blind Trust as of April 30, 2017:	
Glade Acquisitions, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Glade Springs Real Estate Company L.L.C.	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
GSR LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Justice Holdings LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Wintergreen Hospitality Partners, LLC	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Partners, Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Resort Premier Properties, LLC	P O Box 2178, Beaver, WV 25813-2178

West Virginia Ethics Commission
Financial Disclosure Statement

James C. Justice, II
Cathy L. Justice, Spouse

Question 6
20% Gross Income Categories

"Spouse" –Hospitality

Name: James

Justice, II

7. For-Profit Business

List the name and address of each for-profit business on which either you or your spouse serves on the Board of Directors or as an officer. Describe the type of business.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a for-profit business.

Name and address of the business	Description of the business
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/> Justice Family Racing, LLC 302 S. Jefferson St., Roanoke, VA 24011	Horse Racing
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/> Comer Electric, Inc. P. O. Box 2178, Beaver, WV 25813-2178	Electrical Contractor-inactive
self <input type="checkbox"/> spouse <input type="checkbox"/>	

8. Non-Profit Organization

List the name and address of each non-profit organization on which either you or your spouse serves on the Board of Directors or as an officer. Describe the non-profit organization.

☐ Mark here if neither you nor your spouse serve on a Board of Directors or is an officer of a non-profit organization.

Name and address of the organization	Description of the non-profit
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> Beckley Little League, Inc. P. O. Box 2178, Beaver, WV 25813-2178	Chartered Little League Program
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/> Old White Charities, Inc. 101 Main Street, West, WSS, WV 24986	Operates a PGA Licensed Charity Golf Tournament
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> The Big Atlantic Classic P. O. Box 2178, Beaver, WV 25813-2178	Charity Basketball Tournament

9. Sales or Contracts with State, County or Local Government

During the past calendar year, did you or your spouse have any sales or contracts with any unit of state, county or local government? Yes ☒ No ☐ (Sales or contracts for goods or services may be either direct or through a partnership, corporation or association in which either you or your spouse owned or controlled more than 10 percent.)

If yes, identify the government agency that purchased the goods or services, and describe the nature of the goods or services. (See the instruction sheet for more information about the Ethics Act's prohibition against having an interest in a public contract under W. Va. Code § 6B-2-5(d).)

Name of Government organization	Description of goods or services provided
self spouse <input checked="" type="checkbox"/> Example: State of WV DHHR	Foster home placement studies
self <input checked="" type="checkbox"/> spouse Example: Clay County Sheriff's Department	Rental of garage space for patrol cars
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/> See attached.	
self <input type="checkbox"/> spouse <input type="checkbox"/>	
self <input type="checkbox"/> spouse <input type="checkbox"/>	

10. Adult Children – Public Employment

List the name and business address of any adult child or step-child employed by any unit of state, county or local government.

☒ Mark here if this question does not apply to you.

Name of child or step-child	Business address

West Virginia Ethics Commission

Financial Disclosure Statement

James C. Justice, II

Question 9

**Sales or Contracts with State, County
or Local Government**

Government Agency

Marshall University Dept of Orthopaedic
Marshall University Foundation, Inc
WV Prosecuting Attorneys Institute
WVU Cancer Institute Gala
WVU Foundation Board of Directors
WV Parkways Authority-Tamarack

Justice Related Entity

The Greenbrier
The Greenbrier
The Greenbrier
The Greenbrier
The Greenbrier
The Greenbrier

Service Provided

Meeting Facilities, Food & Beverage and/or Lodging
Meeting Facilities, Food & Beverage and/or Lodging
Meeting Facilities, Food & Beverage and/or Lodging
Meeting Facilities, Food & Beverage and/or Lodging
Meeting Facilities, Food & Beverage and/or Lodging
Sublicense of Greenbrier Service Mark & Retail Sales Outlet

Name: James Justice, II**11. DEBTS**

A. Owed to others: List the names of all persons residing or transacting business in the state who you owe more than \$5,000 (in the aggregate) on the date of this Statement. Include debts you owe in the name of any other person and debts on which you are a cosigner.

You **DO NOT** have to report:

1. Debts to immediate family members, parents or grandparents
2. Home mortgages for your primary and secondary residences
3. Loans for autos maintained for the use of your immediate family
4. Student loans
5. Debts resulting from the ordinary conduct of your business, profession or occupation
6. Debts to a financial institution or to a credit card company

If any debt over \$5,000, which is otherwise non-reportable, required the approval of the state or any of its political subdivisions, or if a loan was obtained from the "Linked Deposit Program" (W. Va. Code § 12-1A-1 et seq.), you must list the debt.

☒ Mark here if you owe no debts as described above.

B. Owed to you: List the names of all persons residing or transacting business in the state who owe you, in the aggregate, more than \$5,000 on the date of this Statement (either in your name or any other person's name for your use or benefit.)

You **DO NOT** have to report:

1. Debts from immediate family members, parents or grandparents
2. Debts resulting from the ordinary conduct of your business, profession or occupation
3. Demand or saving accounts in banks, savings and loan associations, or other similar depositories
4. Loans by you to any business in which you have an ownership interest

☐ Mark here if you had no debts owed to you as described above.

Charles S. Morton

12. GIFTS

A gift is anything with monetary value, including meals and beverages. If you, your spouse, and/or any of your dependents received one or more gifts whose total value is more than \$100 from a person, business or organization which has a direct and immediate interest in a governmental activity over which you have control, then list the name of each giver UNLESS it falls into one of the exceptions listed below. "Total value" includes the cumulative fair market value of all gifts from the same source, directly or indirectly, during the previous calendar year.

Gifts from the following sources need **NOT** be reported:

1. your spouse, child, grandchild, parents or grandparents
2. a trust established by your spouse, child, grandchild or ancestor
3. a will or lawful inheritance in the absence of a will
4. a registered lobbyist (*registered lobbyists report these expenditures on the Lobbyist Schedule A form with their Lobbyist Activity Reporting forms*)

☒ Mark here if you received no gifts as described above.

Name: James Justice, II**This page applies to questions 13 and 14 on the next page.**

**** If you are an elected official, candidate or state or higher education employee, you do not need to complete Worksheet A. You must, however, answer questions 13 and 14 about you and your spouse.**

**** All other filers:** If you have been appointed to serve on a State Board, Commission or Agency by the Governor and receive no compensation for your service, you may not be required to report certain financial information about your spouse. Complete Worksheet A to determine if this spousal exemption applies. You still must report your own income and business information in questions 13 and 14.

Worksheet A (for questions 13 and 14)**Part 1. Are you a State Board, Commission or Agency member appointed by the Governor?**

YES ☐ Continue to Part 2.

NO ☐ **DO NOT** complete parts 2 or 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

Part 2. Do you hold another office or employment position that requires you to file this Financial Disclosure Statement?

YES ☐ **DO NOT** complete part 3 on this page. Continue to questions 13 and 14 on the next page and answer the questions for both you and your spouse.

NO ☐ Continue to Part 3.

Part 3. Complete this section to determine if you are exempt from disclosing certain financial information about your spouse in questions 13 and 14 on the next page.

List the name of the State Board, Commission or Agency of which you are an appointed member:

Board name: _____

Check each box that applies:

1. ☐ There is no compensation, per diem, salary or other payment authorized by state law for serving on this Board or Commission. (Excluding travel or expense reimbursement) Note: The test is not whether you decline compensation but whether it is authorized by code, statute or law.

2. ☐ Neither my spouse nor a business with which he or she is associated is regulated by the State Board, Commission or Agency on which I serve by appointment. ("Associated" is defined as a business in which your spouse, or his or her immediate family member, is a director, officer, owner, employee, compensated agent or holder of stock which constitutes five percent or more of the total outstanding stocks of any class. "Immediate family member" means dependent children, grandchildren or parents.)

3. ☐ Neither my spouse nor a business with which he or she is associated has a contract with, or receives any grants or appropriations from, the State Board, Commission or Agency on which I (the filer) serve.

➔ **If you have checked all three boxes in Part 3 above, then answer questions 13 and 14 on the next page as they pertain only to you.**

➔ **If you did not check all three boxes in Part 3, you must answer questions 13 and 14 in their entirety as they pertain to both you and your spouse.**

Name: James

Justice, II

13. ALL sources of income over \$1,000 including employment - (To determine if you must disclose income information about your spouse, refer to Worksheet A)

- List every source or category of income or employment over \$1,000 received by you and/or your spouse during the preceding calendar year in your name, or by any other person for your use or benefit. Include employment even if listed elsewhere on this Statement.
- Include distributions received from retirement and pension accounts.
- Do not list specific names of clients or customers. *For example*, if you are a lawyer or an insurance agent, do not list the names of your clients.
- Do not disclose actual dollar amounts of income, only the source.

Indicate if the income was received by you or your spouse by marking the appropriate box in the chart below.

Categories of income over \$1,000		Description (or job title)
self <input checked="" type="checkbox"/> spouse	Example: Social Security	U.S. Government
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Sold real estate	Sold residence in Beckley
self <input checked="" type="checkbox"/> spouse	Example: Farming/timber	Sold timber from my farm
self spouse <input checked="" type="checkbox"/>	Example: Employment	Teacher, Mingo County schools
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Employment	Greenbrier Hotel Corporation
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	Employment	State of WV
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Interest on Savings Account and CD's	Commercial Bank
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Dividends	Publicly Traded Investments
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Stock/Bond Sales	Publicly Traded Investments
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	Employment	Greenbrier County Schools

14. Business and/or Property Interests - (To determine if you must disclose business or property interests of your spouse, refer to Worksheet A)

List the name and address of each business in which, during the past calendar year, you or your spouse held an interest with a fair market value of \$10,000 or more including, but not limited to: non-publicly owned businesses, publicly or privately traded stocks, bonds or securities, including those held in self-directed retirement accounts, and commercial real estate. (For purposes of this question, DO NOT include mutual funds or specific holdings in mutual funds or retirement accounts. However, distributions from retirement accounts must be reported in question 13 if they are greater than over \$1,000 annually.)

Attach additional sheets if necessary.

☐ Mark here if neither you nor your spouse had any interest in a business or real estate as described above.

self spouse <input checked="" type="checkbox"/>	Example: Jones Coal Hauling, 123 Main Street, Placeville WV
self <input checked="" type="checkbox"/> spouse	Example: Stonefront Apartment Building, 123 Main Street, Charleston WV 25312
self <input checked="" type="checkbox"/> spouse <input checked="" type="checkbox"/>	Example: Acme Bank Stock, 788 Water Street, Cincinnati OH 34343
self <input checked="" type="checkbox"/> spouse <input type="checkbox"/>	
See attached listing	
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Comer Electric, Inc., P. O. Box 2178, Beaver, WV 25813-2178
self <input type="checkbox"/> spouse <input checked="" type="checkbox"/>	Justice Family Racing, LLC, 302 S. Jefferson St., Roanoke, VA 24011

Rev: 12-9-16

West Virginia Ethics Commission
Financial Disclosure Statement

James C. Justice, II

Question 13

All sources of income over \$1,000 including employment

Justice Salary Disclosure:

Governor Justice received his full salary from the State of West Virginia for all pay periods in 2018 that he was eligible to receive compensation.

These payments were taxable income to him and the appropriate taxes were deducted from his paychecks.

Governor Justice donated his entire 2018 net pay, after taxes, to the WV Department of Education, Communities in Schools Program.

Governor Justice and Spouse-Cathy L. Justice

Both received a refund of unclaimed money from the WV Treasurer's Office Unclaimed Property Division.

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
A & G Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Airway Resources, LLC	302 South Jefferson Street, Roanoke, VA 24011
American Turf Grass Corporation	302 South Jefferson Street, Roanoke, VA 24011
Baden Reclamation Company	302 South Jefferson Street, Roanoke, VA 24011
Bardo Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
Beckley Little League, Inc.	P O Box 2178, Beaver, WV 25813-2178
Beech Creek Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bellwood Corporation	302 South Jefferson Street, Roanoke, VA 24011
BKCC L.L.C.	P O Box 2178, Beaver, WV 25813-2178
Black Diamond Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Black River Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
Blackstone Metallurgical Coal, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Blueridge Farm Center, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Energy Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Equipment Management, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Mineral, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Oil Corp.	302 South Jefferson Street, Roanoke, VA 24011
Bluestone Resources Inc.	302 South Jefferson Street, Roanoke, VA 24011
Caldwell Trailblazer, LLC	302 South Jefferson Street, Roanoke, VA 24011
Cane Patch Mining Co., Inc.	302 South Jefferson Street, Roanoke, VA 24011
Chestnut Land Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Coaltex, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Cumberland Valley Contractors, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Double-Bonus Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Dublin Properties, L.C.	302 South Jefferson Street, Roanoke, VA 24011
Dynamic Energy Inc	302 South Jefferson Street, Roanoke, VA 24011
Energy Plus, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Environmental Fund, LLC	302 South Jefferson Street, Roanoke, VA 24011
Equipment Support Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Four Star Resources LLC	302 South Jefferson Street, Roanoke, VA 24011
Frontier Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Gilbert Mine, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Glade Springs Therapeutic Riding, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Grain Development, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Grandview Investment Company	302 South Jefferson Street, Roanoke, VA 24011
Greenbrier Care, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Clinic Surgery Center, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Golf and Tennis Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Hotel Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier, IA, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenbrier Medical Institute, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Greenhorn, LLC	302 South Jefferson Street, Roanoke, VA 24011
Infinity Energy, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice Companies, LLC	302 South Jefferson Street, Roanoke, VA 24011
James River Construction Company	302 South Jefferson Street, Roanoke, VA 24011
JCJ Coal Group LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Aviation, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Coal of Alabama, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Energy Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Farms, LLC	302 South Jefferson Street, Roanoke, VA 24011
Justice Family Foundation, Inc.	P O Box 2178, Beaver, WV 25813-2178
Justice Family Group, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Justice Highwall Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Low Seam Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Justice Management Services, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Coal Transport, LLC	302 South Jefferson Street, Roanoke, VA 24011
Kentucky Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Keystone Service Industries, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Kirby Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Liggett Mining, LLC	302 South Jefferson Street, Roanoke, VA 24011
M & P Services Inc.	302 South Jefferson Street, Roanoke, VA 24011
Machinery Services and Support, LLC	302 South Jefferson Street, Roanoke, VA 24011
Mechel North America Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Meg-Lynn Land Company, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Midsburg Property, LLC	P O Box 2178, Beaver, WV 25813-2178

WV Ethics Commission Financial Disclosure Statement	
James C. Justice, II	
Question 4-Business Names	
Question 14-Business and/or Property Interests	
Entity Name	Entity Address
Midtown Investments, LLC	P O Box 2178, Beaver, WV 25813-2178
Mine Support Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Monroe Properties, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Mountain State Coal Classic, Inc.	P O Box 2178, Beaver, WV 25813-2178
National Coal, LLC	302 South Jefferson Street, Roanoke, VA 24011
National Resources, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nevada Holdings, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Nine Mile Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
NUFAC Mining Company, Inc	302 South Jefferson Street, Roanoke, VA 24011
Oakhurst Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Charities, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Old White Club Corporation	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Orchard Coal Company	302 South Jefferson Street, Roanoke, VA 24011
Pay Car Mining, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Players Club, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Premium Coal Company, Incorporated	302 South Jefferson Street, Roanoke, VA 24011
Ranger Coal Holdings, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Group, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Energy Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Ranger Investments, LLC	302 South Jefferson Street, Roanoke, VA 24011
Rapidan, LLC	302 South Jefferson Street, Roanoke, VA 24011
S and H Mining Inc.	302 South Jefferson Street, Roanoke, VA 24011
Saddlebred, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
SCC Coal Augering, LLC	302 South Jefferson Street, Roanoke, VA 24011
Second Sterling Corp.	302 South Jefferson Street, Roanoke, VA 24011
Sequoia Energy, LLC	302 South Jefferson Street, Roanoke, VA 24011
Southeast Cotton, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southeast Elevators, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Coal Sales Corporation	302 South Jefferson Street, Roanoke, VA 24011
Southern Heavy Equipment, Inc.	302 South Jefferson Street, Roanoke, VA 24011
Southern Minerals, LLC	302 South Jefferson Street, Roanoke, VA 24011
Stretcher Neck Properties, Limited Liability Company	P O Box 2178, Beaver, WV 25813-2178
SUMO, L.L.C.	302 South Jefferson Street, Roanoke, VA 24011
The Chesapeake and Ohio Traveler, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Clinic, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Executive Health, LLC	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Resort and Club Management Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club Development Company, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Greenbrier Sporting Club, Inc.	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
The Old White Development Company	Greenbrier Hotel Corp., 300 W. Main St., WSS, WV 24986
Triple J, LLC	302 South Jefferson Street, Roanoke, VA 24011
Twin Fir Estates, LLC	302 South Jefferson Street, Roanoke, VA 24011
Virginia Fuel Corporation	302 South Jefferson Street, Roanoke, VA 24011
Virginia Maintenance and Rebuilding Services, Inc.	302 South Jefferson Street, Roanoke, VA 24011
West Virginia Timber, Inc	P O Box 2178, Beaver, WV 25813-2178
Wilcox Industries Inc.	302 South Jefferson Street, Roanoke, VA 24011
James C. Justice, II ownership interest in the following entities was placed in a Blind Trust as of April 30, 2017:	
Glade Acquisitions, LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Glade Springs Real Estate Company L.L.C.	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
GSR LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Justice Holdings LLC	Glade Springs Resort, 255 Lake Dr., Daniels, WV 25832
Wintergreen Hospitality Partners, LLC	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Partners, Inc.	P O Box 2178, Beaver, WV 25813-2178
Wintergreen Resort Premier Properties, LLC	P O Box 2178, Beaver, WV 25813-2178

WV ETHICS COMMISSION		
FINANCIAL DISCLOSURE STATEMENT		
JAMES C. JUSTICE, II		
QUESTION 14-BUSINESS AND/OR PROPERTY INTERESTS		
(HOLDINGS WITHIN THE PAST YEAR-EXCLUDING MUTUAL FUNDS AND RETIREMENT ACCOUNTS)		
SEE ATTACHED LISTING OF PRIVATELY HELD BUSINESSES		
PUBLICLY TRADED SECURITIES:		
DICKS SPORTING GOODS	SELF	C/O AMERITRADE
AMAZON.COM	SPOUSE	C/O AMERITRADE
NEXEON MEDSYSTEMS (CELONOVA)	SELF	1500 BULL LEA ROAD, LEXINGTON, KY 40511
COMPRESSUS	SELF	101 CONSTITUTION AVENUE, NW, WASHINGTON, DC 20001
PREMIER BANK, INC.	SELF	2883 5TH AVENUE, HUNTINGTON, WV 25702
PREMIER BANK, INC.	SPOUSE	2883 5TH AVENUE, HUNTINGTON, WV 25702
MORGANTOWN INDUSTRIAL PARK ASSOCIATES, LP	SELF	P O BOX 1138, SHEPHERDSVILLE, KY 40165
ALLEGHENY CREATIVE ENERGY SOLUTIONS, INC.	SELF	191 S. KEIM ST., SUITE 110, POTTSTOWN, PA 19464

EXHIBIT 31



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Companies Sue Justice Family Companies Over Debts, Find Bank Accounts Empty

By [BRITTANY PATTERSON \(/PEOPLE/BRITTANY-PATTERSON/\)](/PEOPLE/BRITTANY-PATTERSON/) & OHIO VALLEY RESOURCE • OCT 7, 2018

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[url=http%3A%2F%2Fwww.tinyurl.com%2Fy9lxfsqo&text=Companies%20Sue%20Justice%20Family%20Companies%20Over%20Debts%2C%20Find%20Bank%20Accounts%20Empty&body=Companies%20Sue%20Justice%20Family%20Companies%20Over%20Debts%2C%20Find%20Bank%20Accounts%20Empty&body=](http://twitter.com/intent/tweet?url=http%3A%2F%2Fwww.tinyurl.com%2Fy9lxfsqo&text=Companies%20Sue%20Justice%20Family%20Companies%20Over%20Debts%2C%20Find%20Bank%20Accounts%20Empty&body=Companies%20Sue%20Justice%20Family%20Companies%20Over%20Debts%2C%20Find%20Bank%20Accounts%20Empty&body=)

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[subject=Companies%20Sue%20Justice%20Family%20Companies%20Over%20Debts%2C%20Find%20Bank%20Accounts%20Empty&body=Companies%20Sue%20Justice%20Family%20Companies%20Over%20Debts%2C%20Find%20Bank%20Accounts%20Empty&body=](mailto:?subject=Companies%20Sue%20Justice%20Family%20Companies%20Over%20Debts%2C%20Find%20Bank%20Accounts%20Empty&body=Companies%20Sue%20Justice%20Family%20Companies%20Over%20Debts%2C%20Find%20Bank%20Accounts%20Empty&body=)



(http://mediad.publicbroadcasting.net/p/wvbn/files/styles/x_large/public/201810/31512650374_074ec484e2_k.jpg)

James C. Justice III, left, watches his father's inauguration as governor. He has assumed control of some Justice family companies.

**Listen**3:50

The Justice family companies' difficulties paying taxes (<http://ohiovalleyresource.org/2016/10/06/justice-delayed/>) over the years are well documented. But tax collectors haven't been the only ones trying to recover debts from companies once operated by West Virginia Gov. Jim Justice and now in control of his family.

A review of court documents by the Ohio Valley ReSource found at least five cases in which judges ruled that Justice family companies failed to pay suppliers for goods or services. When compelled by courts to pay, the companies either refused or failed to meet agreed upon payments.

These cases, dating back to 2013, include a failure to pay for a range of common coal industry needs, such as parts for mining equipment, coal barge services, insurance, and the royalties due to mineral property owners. The debts the Justice family companies owed in these cases ranged from just under \$150,000 to a little more than \$3 million.

In all five cases the courts authorized U.S. Marshals to seize assets from the Justice family companies' bank accounts in order to recover the debts. However, in some cases officials discovered the bank accounts were empty or closed.

One recent case involves a contract dispute between an insurance company and Southern Coal Corp., one of the Justice family companies. Southern Coal operates 33 mines and has a coal mining capacity of 7.2 million tons, according to Bloomberg (<https://www.bloomberg.com/research/stocks/private/snapshot.asp?privcapId=248635749>).

Based in New York, National Union Fire Insurance Company provided workers compensation, general liability, and auto insurance policies for Southern Coal from 2009 to 2014.

According to court documents (<https://www.documentcloud.org/documents/4955663-NUI-Complaint.html>), after coverage ended, National Union audited Southern Coal's books and found the company owed roughly \$2.7 million. In March 2014, Stephen W. Ball, vice president of operations for Southern Coal, issued a promissory note to National Union. The document spelled out how much the company would pay and set up a payment plan.

The note (<https://www.documentcloud.org/documents/4955667-NUI-Promissory-Note.html>) also said if Southern Coal defaulted, the unpaid principal and interest would become due and National Union could collect attorney fees.

Court records (<https://www.documentcloud.org/documents/4954177-Justice-League-Nui-Summary-Judgement.html>) show the company made several payments, but then stopped, defaulting on almost \$560,000. This July, a judge in the U.S. District Court for the Southern District of West Virginia issued a writ of execution (<https://www.documentcloud.org/documents/4955999-NUI-Writ-of-Execution.html>), a legal method by which judgment may be enforced and collected.

registered with this Court on March 22, 2018 by **National Union Fire Insurance Company of Pittsburgh, PA** against **Southern Coal Corporation** for \$559,286.00 in unpaid principal, \$87,472.89 in attorneys' fees, expenses and costs, \$196,644.96 in prejudgment interest, and continuing legal interest thereon until the Judgment is fully paid, and upon which judgment a writ of FIERI FACIAS has issued, and is now in the hands of the United States Marshal for the Southern District of West Virginia, unpaid and unsatisfied, the Plaintiff **National Union Fire**

(http://mediad.publicbroadcasting.net/p/wvvp/files/styles/x_large/public/201810/justice-leauge-nui-writ-screenshot.png).

A court document shows the judge authorized U.S. Marshals to recover debts owed by Southern Coal

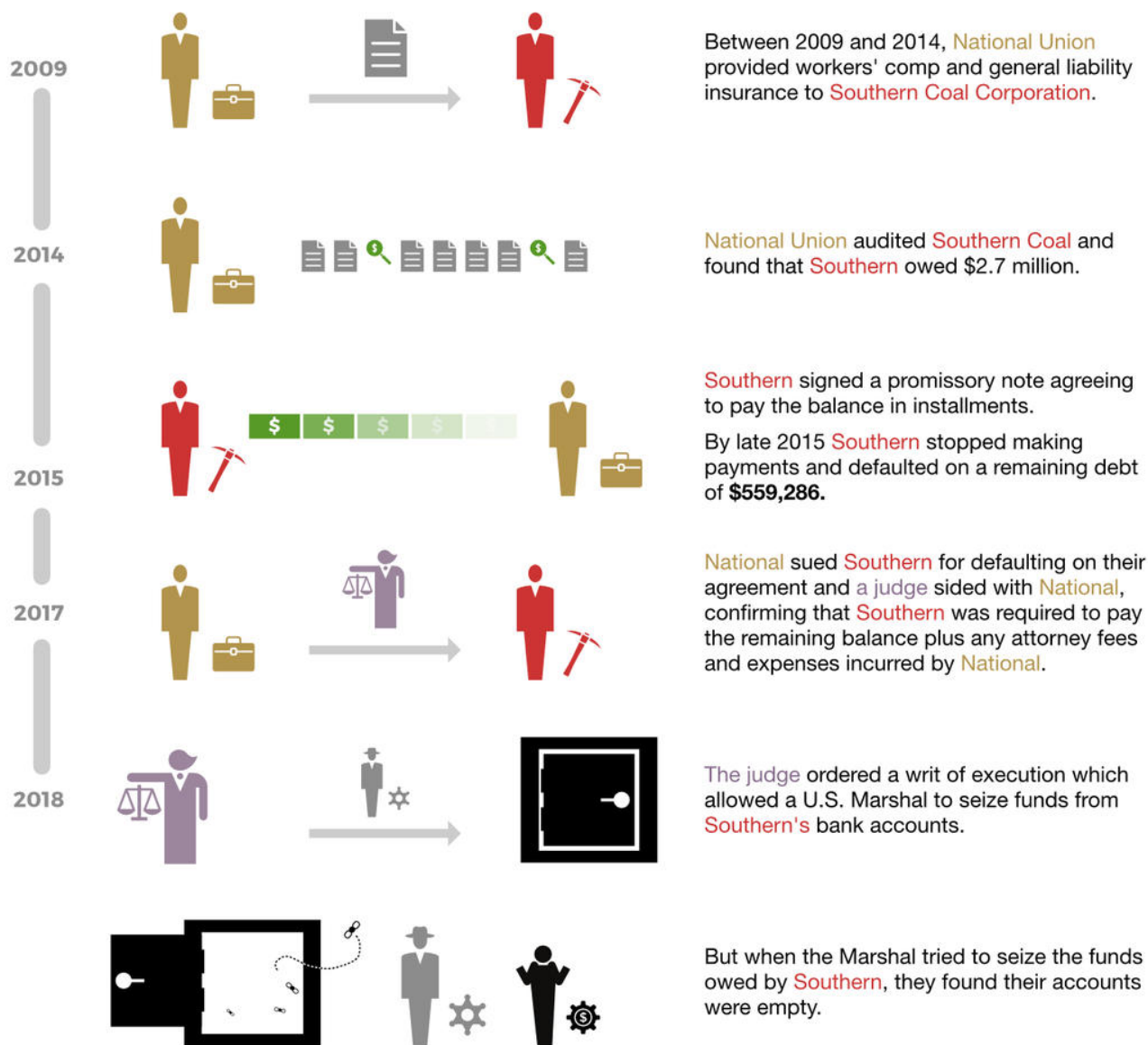
CREDIT FROM COURT DOCUMENTS

Rick Shearer is a Kansas City-based attorney who represents National Union. In an email exchange, Shearer said the U.S. Marshal's office checked out each of the bank accounts listed.

"Those entities responded that any accounts of Southern Coal were closed or now have a zero balance, or they were no longer holding any Southern Coal assets (<https://www.documentcloud.org/documents/4955629-NUI-JP-Morgan-Chase-Response.html>)," he said.

Turns out, National Union is not the first company to run into this problem.

National Union v. Southern Coal Corporation Case Timeline



(http://mediad.publicbroadcasting.net/p/wvnp/files/styles/x_large/public/201810/justice-league-nui-default-v2.jpg).

A timeline drawn from court documents shows key events in National Union's lawsuit against Southern Coal.

CREDIT ALEXANDRA KANIK / OHIO VALLEY RESOURCE

Empty Accounts

The Ohio Valley ReSource found five examples of ongoing or closed lawsuits where a judge issued a writ of execution to collect judgments against Justice family companies.

Case 6:17-cv-00245-GFV Document 46-3 Filed 04/29/18 Page 6 of 13 - Page ID#: 748
This summer, Georgia-based paper company WestRock filed a writ of execution (<https://www.documentcloud.org/documents/4802439-Writ-of-Execution.html>) and writ of summons to recover about \$1 million owed by two Justice family companies, Southern Coal and Kentucky Fuel Corp. The companies have been battling for years over a coal contract for a paper mill in Florida. The parties settled, but after making three payments, Southern Coal defaulted.

As in the National Union case, court records (<https://www.documentcloud.org/documents/4955948-WR-Court-Summary.html>) filed last month show the U.S. Marshal for the Southern District found nothing in the three accounts listed for the Justice family companies.

Another example dates back to 2013. In March of that year Thomas Lampert agreed to sell his interest in the Three Marie Mine located in the Slab Fork District of Raleigh County, West Virginia, to Tams Management Inc., a Justice family company owned by Southern Coal.

The agreement included a \$2 million royalty payment, which Tams failed to pay. Lampert sued for breach of contract (<https://www.documentcloud.org/documents/4955633-Tams-Complaint.html>) and a judge in the U.S. District Court for the Southern District of West Virginia sided with him. After the company refused to pay, presiding judge Irene Berger ordered Tams in July, 2016, to post an appeal bond for \$2.6 million. Every day the company was late, the court ordered they pay a \$1,000 fine. It took a month (<https://www.documentcloud.org/documents/4955635-Tams-Summary.html#document/p10/a458423>) for the company to post the bond.

After Tams and Southern Coal lost an appeal (<https://www.documentcloud.org/documents/4955637-Tams-Appeal.html>) to the 4th U.S. Circuit Court, Lampert was able to collect on the bond.

Other cases include disputes over coal barging services and a case involving roughly \$150,000 in mining equipment, service and parts. In that 2013 case, the Virginia-based James River Equipment company sued (<https://www.documentcloud.org/documents/4955642-James-River-Complaint.html>) Justice Energy Company Inc. Two years after being ordered to pay the debt, and after repeatedly failing to show up for court hearings, Judge Berger held Justice Energy in contempt of court (<https://www.documentcloud.org/documents/4955643-James-River-Summary.html#document/p10/a458424>) to a tune of \$30,000 per day.

Justice Energy lost an appeal (<https://www.documentcloud.org/documents/4955641-James-River-Appeal.html>) of the \$1.23 million in civil contempt fines in 4th U.S. Circuit Court of Appeals last month

In that case, Justice Energy had also agreed to a payment plan, but stopped making payments after just two. In all cases, the court issued a writ of execution tapping into the bank accounts of the Justice family companies.



(http://mediad.publicbroadcasting.net/p/wvvp/files/styles/x_large/public/201810/31978198890_a9c3ce22fc_k_c)

Gov. Justice takes the oath of office as his son James C. Justice III (center) looks on.

CREDIT OFFICE OF THE WEST VIRGINIA GOVERNOR

Not Bankrupt

John Prescott, professor of business administration and director of the Organization and Entrepreneurship Area at the University of Pittsburgh's business school, said that it is not uncommon for companies experiencing financial difficulties, especially smaller companies, to sometimes find themselves in court over contract breaches with suppliers.

He said there are many reasons this might happen, including cash flow problems or poor management. If there is no dominant supplier of a service or good, he said, the company may have many other options to consider, and it may decide that whatever hit the company reputation might take from failing to pay would be minimal.

Lawyers who have represented suppliers in the lawsuits against the Justice family companies say those companies repeatedly engage in this type of behavior despite sometimes severe reprimands from the court.

Over the course of the coal industry's history, boom and bust cycles have sent many coal companies into bankruptcy and others have struggled to pay their bills. The industry's recent downturn triggered a wave of mining company bankruptcies.

In a November 2015 interview (https://www.wvgazettemail.com/news/justice-stresses-big-ideas-over-specifics-in-campaign/article_261d6193-44a8-5221-abc8-b905961281b4.html) with the *Charleston Gazette-Mail*, Gov. Justice said he could have declared bankruptcy, but chose not to.

Case 1:17-cv-00245-GVT Doc # 40-B Filed 04/29/19 Page 8 of 13
“Just bankrupt those companies and life’s good and you just move on,” he said. “Wouldn’t that have been an easy fix? That isn’t what we did. That’s what a lot of people are doing.”

Patrick McGinley (<https://www.law.wvu.edu/faculty-staff/full-time-faculty/patrick-c-mcginley>) is an environmental lawyer and faculty member at West Virginia University’s College of Law who has studied and written about the coal industry for 40 years. McGinley said the pattern of behavior laid out in these court cases may indicate the companies should be in bankruptcy.

“The Justice companies haven’t gone bankrupt, but they’re not paying their bills,” he said. “It’s not clear what’s going on except the impact of not paying taxes, not paying suppliers, not reclaiming land -- that’s serious and that impacts people through the region.”

Unpaid Taxes

In 2016 the Ohio Valley ReSource, its partner stations, and NPR (<https://www.npr.org/2016/10/07/496696292/billionaire-gubernatorial-candidate-owes-15-million-in-taxes-and-fines>) reported on millions of dollars in overdue taxes owed by the companies that Gov. Justice operated (<http://ohiovalleyresource.org/2016/10/06/justice-delayed/>) before he was elected. The Justice family companies, many now operated by the governor’s son, have since repaid some of those taxes owed in West Virginia but still owe taxes in other states (<http://ohiovalleyresource.org/2018/08/08/rural-counties-under-stress-from-justice-companies-unpaid-taxes-in-several-states/>), including Kentucky, Tennessee, and Virginia.

In an August news conference, Justice said back taxes owed in West Virginia by his family’s coal companies had been paid, but did not specify how much was owed or paid or if any of it had been part of a settlement. Rural counties in several other states are still owed taxes and fines that total in the millions (<http://ohiovalleyresource.org/2018/08/08/rural-counties-under-stress-from-justice-companies-unpaid-taxes-in-several-states/>), and county officials say they have been forced to take extraordinary measures to collect.

For example, in Tazewell County, Virginia, County Treasurer David Larimer worked with the county sheriff to seize equipment at a Justice family mine this spring. The sale of two massive Caterpillar trucks raised enough money to cover all but about \$150,000 of the more than \$800,000 debt, he said.



(http://mediad.publicbroadcasting.net/p/wvvp/files/styles/x_large/public/201810/0915161422c_HDR.jpg).

Zach Weinberg looks at the tally of property taxes that Jim Justice's company owes Knott County.

CREDIT BENNY BECKER / OHIO VALLEY RESOURCE

Justice family coal companies also have a history of mine safety violations. The October, 2016, report by NPR (<https://www.npr.org/2016/10/07/496696292/billionaire-gubernatorial-candidate-owes-15-million-in-taxes-and-fines>) showed Justice companies also owed more than \$2 million in overdue mine safety violation fines.

McGinley added that in a contracted industry, Justice family companies are significant players, which means when they don't pay debts the impact on other contracting companies is also significant.

"It's especially important at a time when the industry is on a decline and there are fewer jobs and the profit margin for suppliers is much smaller," he said. "For the remaining companies in the business, failure to pay your bills can be devastating."

The Ohio Valley ReSource repeatedly reached out to the Justice Family Corporation and lawyer Billy Shelton who has represented their business interests. Shelton said he had no comment and the companies did not respond to several phone calls and emails.

Before he was governor, Justice was president and CEO of more than 100 companies, according to his official state biography. Upon his election, Justice, who is a billionaire, transferred control of many of those companies to his family members, including his son and daughter.

A review of business filings with the West Virginia Secretary of State's office show, for example, his son, James C. Justice III, is listed as the director and president of Southern Coal and his daughter, Jillean Justice, is listed as an officer.

When asked at an event in Parkersburg, West Virginia, shortly after the writ of execution was issued in the WestRock paper mill case Gov. Justice said he was unaware of the action.

"I don't know a thing in the world about it," he said. "I really don't."



(http://mediad.publicbroadcasting.net/p/wvpn/files/styles/x_large/public/201810/091918Justice3.jpg).

West Virginia Gov. Jim Justice gives a speech during a Department of Tourism conference Wednesday, Sept. 19, 2018, at the Morgantown Event Center.

CREDIT JESSE WRIGHT / WVPB

However, the governor's most recent financial disclosure form (<https://www.documentcloud.org/documents/4955660-Justice-Financial-Disclosure.html>) filed in January with the West Virginia Office of Ethics raises some questions about what connections Justice maintains to the

Scott Amey, general counsel for the Project on Government Oversight (<https://www.pogo.org/>), a nonpartisan government watchdog, reviewed Justice’s financial disclosure form. Amey said it appears Justice has an active interest in those companies. Southern Coal, Kentucky Fuel, and Justice Energy Company are among those listed.

“As of when he filed this form and signed it, he was saying that, yeah, he still had a business interest in all these companies and that that interest had a fair market value of \$10,000 or more,” Amey said.

But he cautioned that from the form alone it’s impossible to characterize that interest.

“That could be the price of real estate, that could be a business license. I don’t know,” he said. “Maybe they’re not up and running anymore and he just owns the companies, owns the name, and he thinks they have \$10,000 worth of value cause of the naming rights or something.”

The Ohio Valley ReSource asked Butch Antolini, the governor’s head of communications, for more information about Justice’s relationship with the businesses listed. He referred those questions to the Justice Family Corporation. Five calls to the number Antolini provided went unanswered and two email addresses that were provided bounced back.

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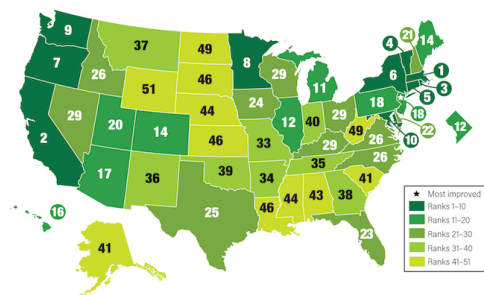
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EXHIBIT 32



DAILY COVER | Apr 9, 2019, 06:00am

The Deadbeat Billionaire: The Inside Story Of How West Virginia Gov. Jim

Justice Ducks Taxes And Slow-Pays His Bills



Christopher Helman Forbes Staff

Energy

James C. Justice II is many things. He is a coal mining billionaire, with an estimated net worth of \$1.5 billion. He is the 36th governor of West Virginia. He owns (along with his kids) some 100 companies. He was elected as a Democrat, but switched parties once in office. He is the owner of the Greenbrier, a gaudy 710-room luxury resort near White Sulphur Springs that dates to 1778 and once housed the nuclear fallout shelter of the United States Congress. Justice is 68 years old, 6 foot 8 and weighs 368 pounds. He has a sandwich named after him at the local Arby's, while at Hardees there hangs a handwritten note: "Hardees Gals—Please take care of Big Jim—A great guy—Donald J. Trump."





Justice says the Greenbrier was losing \$1 million a week when he bought it in 2009 for \$20 million: “This place had become sleepy and old.” ANDRIY BLOKHIN / ALAMY (LEFT); JAMEL TOPPIN FOR FORBES

He is also a man who has a hard time paying the bills.

Since 2016 courts have ordered Justice and his companies to pay more than \$10 million to more than a dozen suppliers, workers and government entities. Over the same time, his companies also piled up \$13 million-plus in tax liens. He claims to have paid off many of these. Still looming: another \$60 million in potential damages in a civil case awaiting final judgment, plus up to \$3 million in fines in Kentucky. And then there’s mine reclamation. By federal law, when a surface mine closes, the operator has to restore the landscape. Virginia’s Department of Mines, Minerals and Energy estimates that Justice’s coal companies face \$200 million in reclamation liabilities. (Justice claims it will cost closer to \$10 million.)

These are sums worth fighting over, even for a billionaire. The entirety of Justice’s empire rakes in some \$450 million in annual sales (their number), mostly from mines, farms and the Greenbrier. The biggest chunk: the decades-old Bluestone coal mines, which will extract an estimated 2 million tons this year, fetching in the neighborhood of \$270 million. It’s a low-margin affair: Annual profits to the Justice family are probably on the order of \$20 million.

Overhead is low, too. “Hard to believe we run everything with a card table and a bucket of chicken,” he says. “It’s not like we have layers and layers of managers like a big giant public company. But it’s not run haphazardly.” In his mind, every asset has to pay for itself. “I’m a believer in the way I try to run things, which is if you have XYZ company and it has an obligation, then XYZ needs to handle that and is not going to run from it.”

FROM IL.

Even if it takes years to get squared.



Billionaire governor Jim Justice takes the oath of office in Charleston, West Virginia in January 2017. WALTER SCRIPTUNAS II/AP

particularly instructive is the case of Kentucky Fuel, one of more than a dozen coal mining

P companies owned by Justice and his children and run out of Roanoke, Virginia. In 2014, Justice personally signed an agreement with the state of Kentucky promising that he would “unconditionally and irrevocably guarantee” that reclamation work on Kentucky Fuel’s mines would be completed by November 2015. In return, Justice negotiated down \$4.5 million of civil penalties to just \$1.5 million.

Fast-forward to 2019. The work is still not done. Kentucky’s Energy and Environment Cabinet (the state’s EPA) has asked a judge to snap back the remaining \$3 million in fines, plus interest. The agency says it no longer trusts Justice’s companies.

It seems it has reason. Kentucky Fuel was also caught mining without a permit in an area where the state had ordered work halted three times: “Kentucky Fuel removed coal as if the Commonwealth’s cessation orders did not exist.”

Justice says the agency should thank him, not criticize him, for fixing 500 mining violations in Kentucky over the past five years. “The Environment Cabinet has continued to be unappreciative, jealous and vindictive,” he says. His son, Jay, points out that many of the reclamation liabilities date back decades, well before Justice owned them: “The regulators allowed the reclamation prior to Justice to get in a catastrophic situation—until along came the billionaire.”

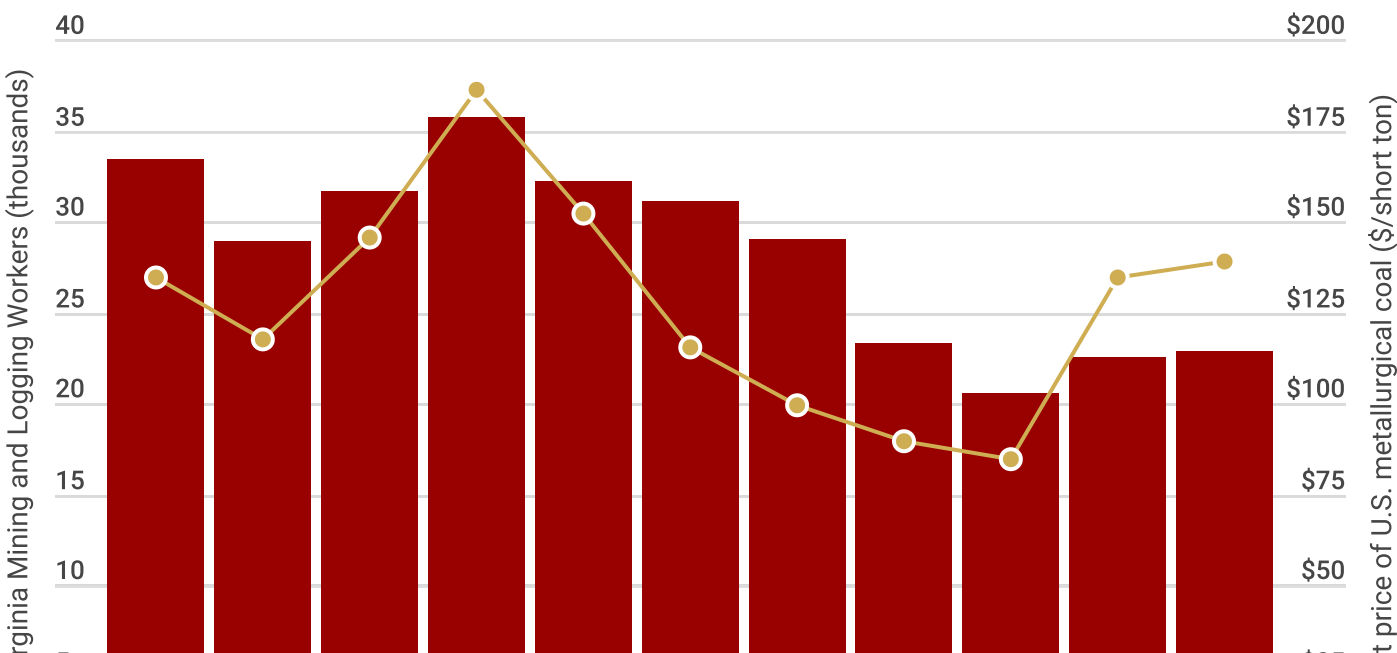
Justice companies have filed personal lawsuits against state employees, alleging in one case the “malicious” closure of a Justice-owned mine. The agency says Justice is attempting to “intimidate the Kentucky government into renegotiating” the 2014 deal. So the agency has advised its employees to be careful: “Because the Justice defendants have no apprehensions about filing personal lawsuits based on falsehoods and fabrications, Cabinet employees have been instructed to avoid speaking with the defendants without a Cabinet attorney present.” Agency attorneys have expressed awe at the mendacity, arguing in court filings that “few will

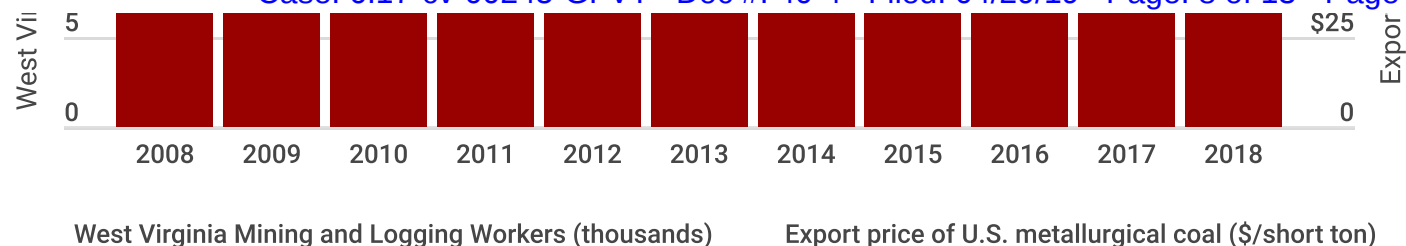
choose public service if coal billionaires are allowed to intimidate state employees with impunity.” Justice says Kentucky “should forever be most appreciative” for the work he’s already done.

Old coal mines are not the only liabilities that Justice’s companies have in Kentucky. Tim Bates, the attorney for Kentucky’s Knott County (pop. 15,000), sued Kentucky Fuel last year, seeking \$2 million in back taxes—vital funding for rural schools. After getting no response, a court-appointed receiver will now seek to seize and auction off any Kentucky Fuel assets it can find in the state.

Coal Hard Facts

Some mining jobs have returned to West Virginia under Gov. Jim Justice. But they’re still down by a third since 2011, their decline closely mirroring the fall in coal prices.





Sources: U.S. Bureau Labor Statistics; U.S. Energy Information Administration; U.S. Census Bureau.

Bates has long since stopped being surprised at the behavior. “I tend to believe that’s just his way of doing business,” says Bates, who is also an attorney in private practice. “They don’t pay, and they force counterparties to get judgments against them.”

Months after he was elected, Justice realized that being a Democratic governor wasn’t going to be fun during the Trump years. At a Trump rally in August 2017 he announced that he was switching coats and embraced Trumpism. “I love him to death,” says Justice of the president. “You know we are a lot alike.”

Both are unabashedly populist billionaires who inherited businesses in cutthroat industries and built those companies into larger empires. Like Trump, Justice has a history of not paying vendors. Like Trump, Justice makes excuses for not putting more than a handful of his bewildering array of companies into a blind trust while serving in public office. Like Trump, Justice says his children—son Jay and daughter Jillean—are running

while serving in public office. Like Trump, Justice says his children — son Jay and daughter Brian — are running the empire.

But, unlike Trump, Justice grew up in coal country. His dad, James Sr., studied aeronautical engineering at Purdue and was an Air Force captain during World War II. He cofounded coal miner Ranger Fuel in the early 1960s and then sold it in 1969 for \$70 million (about \$485 million in today's money) to Pittston, a Virginia-based mining concern. In 1971, Jim Sr. formed Bluestone in the coal fields of West Virginia's McDowell County. For two decades Bluestone produced 500,000 tons per year of what's known as metallurgical coal, a premium hard coal with high heat content for use in steelmaking. Justice worked for his dad for decades, but he still remembers going into his father's office when he was 19 with a problem. "I said, 'Dad, there's nothing I can do,' and all of a sudden the desk explodes and he grabbed me around my shirt and slammed me down against that desk and said, 'Damn you, there's always something you can do, and you damn well better always remember that.'" When his father died in 1993, Justice took over.

Also like Trump, Justice has complicated Russian connections. In 2008, the average price of metallurgical coal jumped over 50%, and Justice's Bluestone sold 2.8 million tons of it that year. That attracted the attention of Mechel, the Moscow-based mining giant. In 2009, Justice sold Bluestone and its 725 million tons of reserves to Mechel for \$436 million in cash, a chunk of preferred stock, plus the assumption of more than \$100 million in debt. On top of all that, the Russians were contractually on the hook to buy additional coal from Justice. He found reserves that he said were worth \$165 million. Mechel balked, claiming the coal was worth only \$25 million.

In 2014, Mechel sued Justice and Weir International, a mining consultancy, for fraud. According to Mechel's complaint, "Justice knowingly and with the intent to defraud and/or negligently made or caused to be made misrepresentations and omissions of material fact."

Justice denies the allegations: "They struggled in not knowing how to run Bluestone the way we would." He

countersued and won a court order demanding that Mechel open itself up to an aggressive discovery process. Preferring to wash its hands of the deal, Mechel sold Bluestone back to Justice in 2015 for \$5 million, plus the assumption of at least \$140 million in liabilities, and each side dropped all claims against the other. Since taking back Bluestone, Justice says, he has “cleaned up \$60 million of reclamation liabilities left from the Russians,” paid \$30 million owed to vendors and \$20 million in taxes, and rehired 250 workers.

“I could have put them into bankruptcy, but I would not do that,” he says. “It takes time to fix everything and do it right, and along the way you get people who are throwing rocks at you.”

**“I could have put them into bankruptcy,” he says.
“It takes time to fix everything and do it right, and
along the way you get people who are throwing
rocks at you.”**

Those rock throwers include the Internal Revenue -Service. Even when faced with court judgments and tax liens, Justice has shown that he prefers to fight. In June 2017 the IRS, looking to collect more than \$1 million in back taxes, issued a levy to Pinnacle Bank, ordering it show the contents of any accounts held in the name of six Justice companies. Bluestone wasn't on the list, but its account was linked to the others. The bank froze \$1.4 million in the account, for which Justice unsuccessfully sued Pinnacle. Last year a U.S. district court in Virginia ordered \$1.15 million of the cash transferred to the feds, while \$250,000 went back to Bluestone.

There's a long history of creditors trying to get their hands on Justice's money—even his own attorneys. Phelps Dunbar, which represented Justice in a 2011 case in Louisiana, sued one of his companies for \$400,000 in unpaid fees. The case was settled. Billy Shelton, who represents Kentucky Fuel, had to get a court judgment in 2013 for \$85,000. Incredibly, Shelton continues to represent the company.

In December 2017, a U.S. district court in New York issued a judgment for \$843,000 against Justice's Southern Coal in favor of National Union Fire Insurance Co. That judgment was transferred to West Virginia, where the U.S. Marshals Service was tasked with seizing assets from Southern Coal accounts at banks that included Wells Fargo and JPMorgan Chase. The marshals found nothing but closed or empty accounts. In January, the court appointed a special commissioner to help get to the bottom of it. Justice tells *Forbes* he plans to settle this one for as little as \$150,000.

Another plaintiff, James River Equipment, sued Justice Energy in 2013 (when it was temporarily owned by Mechel) over a \$150,000 unpaid invoice. Justice may have inherited the problem, but his foot-dragging and finger-pointing have made it much worse. In 2016, after the Justice family had reacquired the company, U.S. district court judge Irene Berger considered jailing a Justice Energy rep for not showing up at scheduled hearings and sanctioned Justice Energy for contempt of court while also entering a judgment in favor of James River. The judgment and penalties now add up to \$1.2 million, which Justice has shown no inclination of paying promptly. Last year Justice's lawyers appealed to the Fourth Circuit Court of Appeals, which upheld Judge Berger's ruling.

She is tired of the hide-and-seek, writing in a December 2018 order: "The defendant's decision to simply ignore court orders, deadlines and obligations precipitated the imposition of the contempt sanction. Continuing to flout the court's directives is not a strategy likely to engender positive results." She ordered Justice Energy to turn over financial records by January 25 and in March engaged the U.S. attorney in Charleston to depose Justice's son, Jay, and two other execs as to where they're keeping the money. Justice blames Russian lawyers

for getting him into this mess and says his company has been “wrongly sanctioned.”

West Virginia politicians on both sides of the aisle are concerned. Mitch Carmichael, the Republican president of the state Senate, is open-minded about Justice’s declared support for businesses and workers alike. Lawsuits “can be legitimate occurrences,” he says. “Everybody can have situations.” But Justice’s behavior forms a pattern: “He’s either the unluckiest person or he has a propensity to do these type of things.”

“We thought with his success in business he would have forged relationships and parlay that into investments in West Virginia,” says Corey Palumbo, a Democratic state senator. “He hasn’t.” A much-hyped \$84 billion deal with a Chinese energy company looking to invest in West Virginia natural gas has stalled, a victim of Trump’s trade war.

All agree that the state needs to invest more in entrepreneurs, but it’s harder to attract them when the face of your state is a deadbeat billionaire. “Business owners and entrepreneurs expect an even playing field when choosing where to locate. They want everyone—the governor included—to be treated equally under the law,” says Republican delegate Joshua Higginbotham. There’s also a strong sense that Justice is too distracted to be doing a full job for West Virginians. Isaac Sponaugle, a Democratic delegate, has filed a lawsuit meant to force Justice to abide by the state constitution’s requirement that the governor “reside” in Charleston, the state’s capital. Justice says he doesn’t need to live in the governor’s mansion when he’s perfectly comfortable in his modest house in Lewisburg. “I’m not going to throw the state’s money away, and I don’t need somebody taking care of my laundry,” he says.

“He just won’t work,” U.S. senator (and former West Virginia governor) Joe Manchin declared in March. “Doesn’t show up. You can’t run the state from the Greenbrier. That’s just not the way it works.”

Justice responds that Manchin is a “slick” politician. “He has an axe to grind.” Indeed, last year, Justice fired

Justice responds that Manchin is a “sick” politician. He has an axe to grind. Indeed, last year Justice fired

Manchin’s wife from her job as state secretary for education and the arts.

Justice says he’s getting right with all his creditors and that he’s owed lots of money as well—like the \$70 million he’s trying to get out of insurers for 2016 flood damage at the Greenbrier. His son says the companies’ reclamation liabilities are “a thimbleful” of what they used to be.

Last August the governor called a press conference in which he appeared with the West Virginia secretary of revenue to declare that his companies had taken care of their state tax obligations. They did not reveal how much was paid, but state records for his biggest companies show a release of liens last summer tied to more than \$8 million of unpaid taxes. Justice said that his taxes are settled in West Virginia once and for all. As for his obligations outstanding in other states: “It may take a little while.”



Christopher Helman Forbes Staff

Since joining Forbes in 1999 I've written more than 100 magazine stories, including features on the likes of T. Boone Pickens, Harold Hamm, Aubrey McClendon, Michael Del... **Read More**

EXHIBIT 33

From: Roger Hunter <roger.hunter@justicecorporation.com>
Sent: Wednesday, October 23, 2013 10:25 PM
To: Ted Claypoole
Cc: John McCague; Lloyd Williams; Steve Ball; Dustin Deane
Subject: KFC Acceptance of Newlead/Magna Proposal Set Forth in Your 10-15-13 Letter to me
Attachments: 10-23-13 KFC Acceptance of Newlead Proposal dtd 10-15-13 (from Ted Claypoole).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Ted - Please see Kentucky Fuel Corporation's attached acceptance of Newlead's proposal as set forth in your October 15, 2013 letter to me, as clarified in the acceptance letter.

In the morning I will give you a call fairly early on, with John McCague if he is available, to follow up and discuss how best to move forward from here. In that regard, I will email you a separate Default Notice for use with Magna, as requested.

Would a call before 10 a.m. work for you? If not, please let me know when your first available time would be and we'll work around that.

After we talk, we probably should contact Tony Marsico and the Magna team as well. In our call with Tony the other day, it sounded as if it would be fairly simple and quick for him to adapt their template Debt Purchase Agreement to our deal.

As to the documents (amendments basically of documents already in place), I also believe those can be knocked out rather quickly after we talk and compare notes on all this.

Thanks, and best regards, Roger

Roger D. Hunter | General Counsel | James C. Justice Companies, Inc. and Affiliates | The Greenbrier and Affiliates |
Mailing Address: 300 West Main Street, White Sulphur Springs, West Virginia 24986 | Office Phone: (304) 536-7870 |
Mobile Phone: (540) 759-4800 | Email: roger.hunter@justicecorporation.com

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Thank you for your cooperation.

*****Te



Roger D. Hunter
General Counsel
Southern Coal Corporation,
James C. Justice Companies, Inc.,
and affiliates (including
Kentucky Fuel Corporation)
300 West Main Street
White Sulphur Springs
West Virginia 24986
Office: (304) 536-7870
Fax: (304) 536-7819
roger.hunter@justicecorporation.com

October 23, 2013

Mr. Theodore F. Claypoole, Esq.
Womble Carlyle Sandridge & Rice, LLP
One Wells Fargo Center
301 South College Street
Suite 3500
Charlotte, NC 28202-6037
Via email (TClaypoole@wscr.com)

Re: Sale of Five Mile Assets, and Newlead's
October 15, 2013 Counterproposal

Dear Ted:

As General Counsel of Kentucky Fuel Corporation ("*KFC*"), I am writing on behalf of the company to confirm that KFC, subject to the modifications and conditions set out below, will accept the core concepts of the counterproposal of Newlead Holdings LTD. ("*Newlead*") set forth in your letter to me dated October 15, 2013 (the "*Newlead Proposal*").

The Newlead Proposal contemplated, among other things, the acquisition by Magna Group (together with such affiliates as KFC may approve, "*Magna*") of the three existing notes payable by Newlead (1) to KFC in the original principal amount of \$7.5 Million, (2) to Williams Industries LLC ("*Williams*") in the original principal amount of \$2 Million, and (3) to RJLT Investments, LLC ("*RJLT*") in the original principal amount of \$1.5 Million. (Collectively, KFC, Williams and RJLT are referred to herein as the "*Existing Noteholders*".)

In addition, the Newlead Proposal also contemplated that Magna would make an advance payment to Existing Noteholders in October in the amount of \$1,500,000 followed by eight (8) monthly installment payments of \$1,250,000 each beginning in November 2013 and ending with the



final payment in June 2013, adjusted as necessary to add and include interest on unpaid principal amounts at the agreed-upon forbearance agreement rates or default rates (in the case of KFC, at the rate per annum as provided in the KFC-Newlead Forbearance Agreement dated March 18, 2013) over eight (8) months beginning with the first payment of \$1,500,000 to be made at “closing” in October 2013.

Additional elements of the Newlead Proposal included, without limitation, that (a) Newlead would pay all unsatisfied obligations relating to the Assets (as defined in the relevant Asset Purchase Agreement to which KFC is a party) and provide evidence thereof; (b) Newlead would remain obligated to the Existing Noteholders until all Magna payments were made, (c) Newlead would be willing to amend and restate the relevant Notes to include additional protections and provisions if requested to do so by Existing Noteholders, and (d) KFC would continue to have the benefit of all existing mortgages and all other security arrangements now in place (collectively, “*Mortgages and Security*”) as security in the event all payments were not made to KFC.

The modifications to, and conditions of KFC’s acceptance of, the Newlead Proposal are as follows:

1. By Noon Eastern Time Friday, October 25, 2013, Newlead, KFC and Williams shall execute amendments to the following documents in form and substance satisfactory to KFC:
 - a. Amendments to the existing Asset Purchase Agreement to which Newlead, KFC and Williams, respectively, are parties (the “APA”), obligating Newlead to guarantee unconditionally each of Magna’s payments to the Existing Noteholders (and including the form of a written Guaranty as an exhibit to such Amendment), continuing the Mortgages and Security, leaving title to the Assets where it now stands until all Magna payments have been timely and fully made (no transfer of title until the final payment has been so made), and reflecting other material aspects of the new transaction involving Magna.
 - b. Guaranty of Newlead of Magna’s obligations to Existing Noteholders, as required by the amendments.
 - c. Amendments to the existing irrevocable letter of instructions to Chicago Title reflecting the new documents and deliverables for the new transaction involving Magna.
 - d. Amendments to the March 18, 2013 Forbearance Agreement to reflect the new transaction involving Magna.
2. “Closing”, including first installment payment and execution of all documentation shall be no later than October 31, 2013.



3. KFC's acceptance is further conditioned on successful negotiation and execution of a Debt Purchase Agreement between KFC and Magna, in form and substance satisfactory to KFC, by no later than Noon Eastern Time Friday, October 25, 2013. Such Debt Purchase Agreement shall include all key terms set forth in the Newlead Proposal as modified and conditioned herein and such other terms and conditions (including the allocation of all of Magna's installment payments among the Existing Noteholders on a pro rata basis based on the total amount owed to them for principal and accrued interest at rates as modified herein) as KFC may approve.
4. KFC's acceptance is further conditioned on successful negotiation and execution of Debt Purchase Agreements between Magna and (A) Williams, and (B) RJLT, respectively, by no later than Noon Eastern Time Friday, October 25, 2013, which in each case shall reflect the allocation of all of Magna's installment payments among the Existing Noteholders on a pro rata balance based on the total amount owed to them for principal and accrued interest at rates as modified herein, i.e., at forbearance agreement rates (e.g., the rate per annum provided in the KFC-Newlead March 18, 2013 Forbearance Agreement) or default rates as agreed with the other Existing Noteholders (e.g., 6% per annum default rate as agreed with Williams).

Please forward this acceptance of the Newlead Proposal to Newlead and its Chairman Mr. Zolotas and kindly let me know as soon as possible if the foregoing is agreeable with Newlead, and we will proceed immediately with the work on the documentation so all parties and their counsel, including Magna and its counsel, can move ahead to prepare and finalize the necessary documentation for execution in the time frames set out above.

Sincerely,

/s/ *Roger D. Hunter*

Roger D. Hunter, General Counsel
Kentucky Fuel Corporation

Cc: John McCague, Esq. (via email)
Lloyd Williams (via email)
Stephen W. Ball (via email)

EXHIBIT 34

From: Roger Hunter <roger.hunter@justicecorporation.com>
Sent: Friday, December 20, 2013 11:07 AM
To: Marc Manuel
Cc: Max Riccio [MAGNA GROUP]; Ari Morris [MAGNA GROUP]; Matthew Turlip [MAGNA GROUP]; Anthony Marsico J. Marsico; Steve Ball; Dustin Deane
Subject: Newlead-KFC-Magna Group (Hanover) Transaction - Wire transfer payment to KFC

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Marc - As referenced in my email earlier this morning, please have the upcoming wire transfer payment to KFC per the applicable Schedule to the Debt Purchase Agreement between KFC and Hanover, wired using the following wire transfer instructions and kindly email me to confirm when the wire has been sent (providing me with the Fed Wire Reference Number for our operations team to use to verify and track the wire):

Bank Name: Citibank, N.A., New York
SWIFT Code: CITIUS33
ABA Number: 021000089
Account Name: Goldman, Sachs & Co.
Account Number: 3073-6756

For Further Credit To:

Account Name: James Justice III Brokerage Acct
Account Number: 030-32649-0

Please email me, or call me on my mobile (below), if you have any questions.

Thanks again, and best regards, Roger

Roger D. Hunter | General Counsel | James C. Justice Companies, Inc. and Affiliates | The Greenbrier and Affiliates |
Mailing Address: 300 West Main Street, White Sulphur Springs, West Virginia 24986 | Office Phone: (304) 536-7870 |
Mobile Phone: (540) 759-4800 | Email: roger.hunter@justicecorporation.com

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Thank you for your cooperation.

From: Andrew Reggev [MAGNA GROUP] <andrew.reggev@magnagrouppcapital.com>
Sent: Monday, December 23, 2013 3:06 PM
To: jmccague@eckertseamans.com; JBerkowitz@mineinvestments.com;
roger.hunter@justicecorporation.com; tclaypoole@wcsr.com; SCessar@eckertseamans.com
Cc: Marc Manuel [MAGNA GROUP]
Subject: NEWL - Hanover Holdings I, LLC

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Good afternoon all,
This email is to confirm that the payments due today are currently in process.

With regards to payment amounts, below are the dollar amounts going to each entity:

KFC: \$508,575.00
RJLT: \$102,975.00
Williams: \$138,450.00
Total: \$750,000.00

Upon the payments being released, we will provide complete wire receipts with federal reference numbers.

Finally, in regards to the payment schedule, we understand Tony Marsico had been contacted about revisions to the schedule and we will revert.

Thanks in advance.

--

Best,

Andrew Reggev
Senior Investment Analyst
Research and Due Diligence



Magna Group | Structured Investments
o. 347.491.4240
f. 646.737.9948
Andrew.Reggev@MagnaGroupCapital.com

www.MagnaGroupCapital.com

From: Marc Manuel [MAGNA GROUP] <marc.manuel@magnagrouppcapital.com>
Sent: Tuesday, December 24, 2013 9:02 AM
To: Andrew Reggev [MAGNA GROUP]
Cc: John McCague; JBerkowitz@mineinvestments.com; roger.hunter@justicecorporation.com; SCessar@eckertseamans.com; Ted Claypoole
Subject: Re: NEWL - Hanover Holdings I, LLC
Categories: Red Category

FIRST NATIONAL BANK OF PENNSYLVANIA	-138,450.00	MTNA FED /FEDREF/IMAD1223B1Q8383C017715
CITIBANK N.A.	-508,575.00	MTNA FED /FEDREF/IMAD1223B1Q8383C017809
BANK OF AMERICA, N.A., NY	-102,975.00	MTNA FED /FEDREF/IMAD1223B1Q8383C017702

Marc Manuel
Head of Origination & Research



Magna Group | Structured Investments
 o. 347.491.4240
 c. 917.593.5837
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On Mon, Dec 23, 2013 at 4:52 PM, Andrew Reggev [MAGNA GROUP]
 <andrew.reggev@magnagrouppcapital.com> wrote:

John,

I can confirm the wire has been released at this time as per Deutsche Bank. I will revert once I obtain the Fed Reference Number from DB.

Thanks,
 Andrew

On Mon, Dec 23, 2013 at 4:20 PM, Andrew Reggev [MAGNA GROUP]
 <andrew.reggev@magnagrouppcapital.com> wrote:

John,

EXHIBIT 35

From: Max Riccio [MAGNA GROUP] <max.riccio@magnagroupcapital.com>
Sent: Monday, January 06, 2014 8:26 PM
To: MZolotas@newleadholdings.com
Cc: Marc Manuel [MAGNA GROUP]; Andrew Reggev [MAGNA GROUP]; jberkowitz; John McCague; rjenkins; Roger Hunter; scessar; Ted Claypoole
Subject: Re: NEWL - Hanover Holdings I, LLC
Categories: Red Category

All,

Please see the Fed reference numbers below:

KFC: MTNA FED /FEDREF/IMAD0106B1Q8383C013957
RJLT: MTNA FED /FEDREF/IMAD0106B1Q8383C013631
Williams: MTNA FED /FEDREF/IMAD0106B1Q8383C013620

Best,

Max Riccio

Junior Investment Analyst

Research & Due Diligence



Magna Group | Structured Investments

o. 347.491.4240

f. 646.737.9948

max.riccio@magnagroupcapital.com

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On Mon, Jan 6, 2014 at 1:37 PM, Max Riccio <max.riccio@magnagrouppcapital.com> wrote:

All,

We have obtained confirmation the wire is now in process. We will revert with FED reference numbers once received.

Best,

Max Riccio

Junior Investment Analyst

Research & Due Diligence



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o. [347.491.4240](tel:347.491.4240)

f. [646.737.9948](tel:646.737.9948)

max.riccio@magnagrouppcapital.com

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From: Andrew Reggev [MAGNA GROUP] [mailto:andrew.reggev@magnagrouppcapital.com]
Sent: Monday, January 06, 2014 1:24 PM
To: Max Riccio [MAGNA GROUP]
Subject: Fwd: NEWL - Hanover Holdings I, LLC

----- Forwarded message -----

From: <MZolotas@newleadholdings.com>
Date: Sat, Jan 4, 2014 at 1:27 AM
Subject: Re: NEWL - Hanover Holdings I, LLC
To: "Marc Manuel [MAGNA GROUP]" <marc.manuel@magnagrouppcapital.com>
Cc: "Andrew Reggev [MAGNA GROUP]" <andrew.reggev@magnagrouppcapital.com>, "JBerkowitz@mineinvestments.com" <JBerkowitz@mineinvestments.com>, "jmccague@eckertseamans.com" <jmccague@eckertseamans.com>, Rusty Jenkins <rjenkins@highfieldequities.com>, "roger.hunter@justicecorporation.com" <roger.hunter@justicecorporation.com>, "SCessar@eckertseamans.com" <SCessar@eckertseamans.com>, Ted Claypoole <tclaypoole@wcsr.com>

Marc,

Thank you very much.

Michael S. Zolotas
Chairman and CEO



NewLead Holdings Ltd.

83 Akti Miaouli & Flessa Street, 185 38 Piraeus, GREECE

Tel: [+30 213 014 8001](tel:+302130148001) | **Fax:** [+30 213 014 8019](tel:+302130148019) |

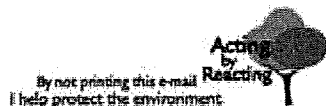
Web: <http://www.newleadholdings.com>

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☞ "Marc Manuel [MAGNA GROUP]" ---01/03/2014 11:42:42 PM---All, Good News. Was able to obtain the final sign off. We have requested the

Case: 6:12-cv-00091-GFVT-HAI Doc #: 358-29 Filed: 10/20/17 Page: 9 of 33 - Page ID#: 9205

From:

"Marc Manuel [MAGNA GROUP]" <marc.manuel@magnagrouppcapital.com>

"jmccague@eckertseamans.com" <jmccague@eckertseamans.com>

To:

Cc: "Andrew Reggev [MAGNA GROUP]" <andrew.reggev@magnagrouppcapital.com>, "JBerkowitz@mineinvestments.com" <JBerkowitz@mineinvestments.com>, "roger.hunter@justicecorporation.com" <roger.hunter@justicecorporation.com>, "SCessar@eckertseamans.com" <SCessar@eckertseamans.com>, Ted Claypoole <tclaypoole@wcsr.com>, Rusty Jenkins <rjenkins@highfieldequities.com>

01/03/2014 11:42 PM

Date:

Subject:

Re: NEWL - Hanover Holdings I, LLC

All,

Good News. Was able to obtain the final sign off. We have requested the \$500K be processed today (if possible) or 1st thing Monday AM. We will revert with FED wire receipts once received from DB.

Regards,

MM

Marc Manuel

Head of Origination & Research

Magna Group | Structured Investments

o. 347.491.4240

c. 917.593.5837

f. 646.737.9948

marc.manuel@magnagrouppcapital.com

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On Fri, Jan 3, 2014 at 11:01 AM, Marc Manuel [MAGNA GROUP] <marc.manuel@magnagrouppcapital.com> wrote:

All

Given the holidays, the weather (working from home today), and ongoing lack of compliance, my expectation is that the \$500,000 will be wired pro rata after market close on Monday.

Best regards,

Marc

Sent from my iPhone

> On Jan 2, 2014, at 11:19 AM, "jmccague@eckertseamans.com" <jmccague@eckertseamans.com> wrote:

>

> Marc,

>

> We are trying to confirm receipt of the wire transfer. Please confirm
> initiation of the wire and send us the fed reference numbers as soon as
> possible. Than you.

>

> John

>

> John J. McCague

> Eckert Seamans Cherin & Mellott, LLC

> U.S. Steel Tower

> 600 Grant Street, 44th Floor

> Pittsburgh, PA 15219

> Telephone: 412 566-6086

> Fax: 412 566-6099

> Cell: 412 848-3700

> jmccague@eckertseamans.com

>

>

>

> "Marc Manuel

> [MAGNA GROUP]"

> <marc.manuel@magnagroupcapital.com> To

> marc.manuel@magnagroupcapital.com John J McCague/ESCM@ESCM

>> cc

> "Andrew Reggev [MAGNA GROUP]"

> 12/30/2013 12:44 <andrew.reggev@magnagroupcapital.com

> PM m>, JBerkowitz@mineinvestments.com,

> "[roger.hunter@justicecorporation.co](mailto:roger.hunter@justicecorporation.com)

> m"

> <[roger.hunter@justicecorporation.co](mailto:roger.hunter@justicecorporation.com)

> m>, Scott Cessar/ESCM@ESCM, Ted

> Claypoole <tclaypoole@wcsr.com>

> Subject

> Re: NEWL - Hanover Holdings I, LLC

>

>
>
>
>
>
>
>
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>
>
> John,
>
>
> Actually, I am trying for the 31st provided I can obtain all required
> internal signatures.
>
> Additionally, please be advised that Newlead has not yet regained
> compliance with all terms set forth in the stipulation of settlement
> approved by order of the New York State Supreme Court on December 2, 2013.
>
>
>
> Marc Manuel
> Head of Origination & Research
>
>
>
>
>
> Magna Group | Structured Investments
> o. 347.491.4240
> c. 917.593.5837
> f. 646.737.9948
>
>
> marc.manuel@magnagrouppcapital.com
>
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> transmission. If verification is required please request a hard-copy
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>
>
> On Mon, Dec 30, 2013 at 12:15 PM, <jmccague@eckertseamans.com> wrote:
>

Case: 6:12-cv-00091-GFVT-HAI Doc #: 358-29 Filed: 10/20/17 Page: 12 of 33 - Page ID#: 9208

> Marc,
>
> I received an email earlier today from Michael Zolotas stating that
> Hanover
> Holdings would be making a payment in the aggregate amount of \$500,000
> later today. Please confirm and please provide the fed reference numbers
> as
> soon as possible so that we can track same. Thank you.

>
> John
>
>
> John J. McCague
> Eckert Seamans Cherin & Mellott, LLC
> U.S. Steel Tower
> 600 Grant Street, 44th Floor
> Pittsburgh, PA 15219
> Telephone: 412 566-6086
> Fax: 412 566-6099
> Cell: 412 848-3700
> jmccague@eckertseamans.com

>
>
> "Marc Manuel
> [MAGNA GROUP]"
> <marc.manuel@magn
> To
> agroupcapital.com "Andrew Reggev [MAGNA GROUP]"
>> <

> andrew.reggev@magnagroupcapital.co

> m>

> 12/24/2013 09:02

> cc

> AM John J McCague/ESCM@ESCM,
> JBerkowitz@mineinvestments.com,
> "

> roger.hunter@justicecorporation.co

> m"

> <

> roger.hunter@justicecorporation.co

> m>, Scott Cessar/ESCM@ESCM, Ted
> Claypoole <tclaypoole@wcsr.com>

> Subject

> Re: NEWL - Hanover Holdings I, LLC

From: Max Riccio <max.riccio@magnagrouppcapital.com>
Sent: Friday, January 17, 2014 3:39 PM
To: 'Marc Manuel [MAGNA GROUP]'; jmccague@eckertseamans.com
Cc: 'Andrew Reggev [MAGNA GROUP]'; JBerkowitz@mineinvestments.com; roger.hunter@justicecorporation.com; SCessar@eckertseamans.com; 'Ted Claypoole'; 'Rusty Jenkins'
Subject: RE: NEWL - Hanover Holdings I, LLC
Categories: Red Category

All,

Please see the Fed reference numbers below:

KFC: MTNA FED /FEDREF/IMAD0117B1Q8383C010600

RJLT: MTNA FED /FEDREF/IMAD0117B1Q8383C010608

Williams: MTNA FED /FEDREF/IMAD0117B1Q8383C010564

Best,

Max Riccio
Junior Investment Analyst
Research & Due Diligence



Magna Group | Structured Investments
o. 347.491.4240
f. 646.737.9948
max.riccio@magnagrouppcapital.com

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From: Marc Manuel [MAGNA GROUP] [mailto:marc.manuel@magnagrouppcapital.com]
Sent: Friday, January 17, 2014 9:56 AM
To: jmccague@eckertseamans.com
Cc: Andrew Reggev [MAGNA GROUP]; JBerkowitz@mineinvestments.com; roger.hunter@justicecorporation.com; SCessar@eckertseamans.com; Ted Claypoole; Rusty Jenkins; Max Riccio [MAGNA GROUP]
Subject: Re: NEWL - Hanover Holdings I, LLC

All,

Pls be advised that we have requested that DB process the \$500K payment due as of 1.31.14 today. We will advise with wire information.

Best regards,

Marc Manuel
Head of Origination & Research



Magna Group | Structured Investments
o. 347.491.4240
c. 917.593.5837
f. 646.737.9948
marc.manuel@magnagrouppcapital.com

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On Fri, Jan 3, 2014 at 4:42 PM, Marc Manuel [MAGNA GROUP] <marc.manuel@magnagrouppcapital.com> wrote:

All,

Good News. Was able to obtain the final sign off. We have requested the \$500K be processed today (if possible) or 1st thing Monday AM. We will revert with FED wire receipts once received from DB.

Regards,

MM

Marc Manuel
Head of Origination & Research



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f. 646.737.9948

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
LONDON**

NEW LONDON TOBACCO MARKET, INC.)	
and FIVEMILE ENERGY, LLC,)	
)	
Plaintiffs,)	
)	
v.)	Civil No. 6:17-cv-00245-GFVT
)	
JAMES C. JUSTICE COMPANIES, INC.,)	
JUSTICE FARMS OF NORTH CAROLINA,)	
LLC, OAKHURST CLUB, LLC,)	
SOUTHERN MINERALS, LLC, and)	
JAMES C. JUSTICE, III)	
)	
Defendants.)	

ORDER

This matter came before the Court upon the Plaintiffs' Motion to Temporarily Lift Stay and for Leave to File Second Amended Complaint. Upon consideration of that Motion, and for good cause shown, it is ORDERED as follows:

1. Plaintiff's Motion to Temporarily Lift Stay and for Leave to File Second Amended Complaint is GRANTED.
2. The stay is temporarily lifted to allow filing of the Second Amended Complaint and the issuance and service of process on the new Defendants. The Second Amended Complaint is deemed filed as of April 29, 2019.
3. Following service of process on the new Defendants, the stay is reinstated and the new Defendants are not required to answer until the stay is lifted by further action of this Court.

ENTER this _____ day of _____, 2019.

UNITED STATES DISTRICT JUDGE

PREPARED BY:

/s/ W. Edward Shipe

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*W. Edward Shipe (023887)

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Counsel for New London Tobacco

Market, Inc., and Fivemile Energy, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt of this 29th day of April, 2019.

/s/ W. Edward Shipe